

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

United States of America,)	
)	
Plaintiff,)	
)	CR15-00707-PHX-SRB
vs.)	Phoenix, Arizona
)	March 8, 2016
Abdul Malik Abdul Kareem,)	
)	
Defendant.)	
)	
)	

BEFORE: THE HONORABLE SUSAN R. BOLTON, JUDGE
EXCERPT OF REPORTER'S TRANSCRIPT OF PROCEEDINGS
JURY TRIAL - DAY #13
TESTIMONY: ABDUL MALIK ABDUL KAREEM - PART#1
(Pages 1 through 134, Inclusive.)

APPEARANCES:

For the Government:

U.S. ATTORNEY'S OFFICE
By: **Kristen Brook, Esq.**
Joseph Edward Koehler, Esq.
40 North Central Avenue, Suite 1200
Phoenix, AZ 85004

For the Defendant Abdul Malik Abdul Kareem:

MAYNARD CRONIN ERICKSON CURRAN & REITER PLC
By: **Daniel D. Maynard, Esq.**
Mary Kathleen Plomin, Esq.
3200 North Central Avenue, Suite 1800
Phoenix, AZ 85012

Official Court Reporter:

Elizabeth A. Lemke, RDR, CRR, CPE
Sandra Day O'Connor U.S. Courthouse, Suite 312
401 West Washington Street, SPC 34
Phoenix, Arizona 85003-2150
(602) 322-7247
Proceedings Reported by Stenographic Court Reporter
Transcript Prepared by Computer-Aided Transcription

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

E X C E R P T O F P R O C E E D I N G S

THE CLERK: Please state your name for the record.

THE WITNESS: Abdul Malik Abdul Kareem.

THE COURT: Mr. Maynard, you may proceed.

MR. MAYNARD: Thank you.

ABDUL MALIK ABDUL KAREEM, WITNESS, SWORN

DIRECT EXAMINATION

BY MR. MAYNARD:

Q Would you introduce yourself to the jury.

A Abdul Malik Abdul Kareem.

Q Move the microphone an little bit closer.

THE COURT: Say your name again and see if it's a little louder.

THE WITNESS: Abdul Malik Abdul Kareem.

THE COURT: Thank you.

BY MR. MAYNARD:

Q Have you ever gone by any other names?

A Yes. Decarus Thomas.

Q How old are you?

A Forty-four.

Q What is your birthday?

A 7/30/71.

Q Where were you born?

A Philadelphia, Pennsylvania.

Q How many siblings, brothers and sisters, do you have?

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 A Fourteen.

2 Q Okay. What was your father's profession in Philadelphia?

3 A He was a Philadelphia police officer.

4 Q And what religion were you raised in Philadelphia?

5 A Baptist.

6 Q How often did you go to church when you were growing up?

7 A Wednesdays and Sundays, all day.

8 Q Were there any members of your family that were in the
9 ministry?

10 A My grandfather.

11 Q Now, did you graduate from high school?

12 A Yes.

13 Q And what year did you graduate from high schooling?

14 A '88.

15 Q And what high school did you go to?

16 A LaSalle.

17 Q And did you play any sports while you were in high school?

18 A I played football.

19 Q What did you do after you got out of high school in 1988?

20 A I worked for a little restaurant as a cook.

21 Q And how long did you do that?

22 A For about a year.

23 Q And then what did you do?

24 A I moved out to California, lived with my uncle and went to
25 a community college out there and was a security guard.

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 Q Security guard?

2 A Yes.

3 Q Do you remember what company it was you worked for?

4 A Wells Fargo.

5 Q Okay. And how long did you live in California?

6 A I stayed out there for about a year. I got into a really
7 bad car accident and then moved back to Philadelphia.

8 Q And how long did you stay in Philadelphia when you moved
9 back?

10 A I want to say probably about two years, a year or two.

11 Q And in that two year period, what were you doing?

12 A I worked for another -- a high-end restaurant as a bus boy
13 and I did some parttime work for Denny's.

14 Q At some point then did you eventually move to Phoenix,
15 Arizona?

16 A Yes. I moved here in '92.

17 Q And what brought you to Phoenix?

18 A Well, my mom moved out here in '91 and I decided to come
19 out here. And I came out here in '92. When I came out here,
20 she moved back to Philadelphia and I stayed out here.

21 Q Why did you -- do you know why your mom actually moved out
22 to Phoenix?

23 A For Hakeem. Hakeem had really bad asthma.

24 Q Now, was Hakeem -- we've heard that name a few times.

25 A Anthony Simpson.

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 Q And how is he related to you?

2 A He is my nephew.

3 Q Was he Muslim at the time when your mother brought him out
4 here?

5 A No.

6 Q So I take it your mother was raising your nephew at that
7 time?

8 A Yes. My sister had passed away.

9 Q Okay. And did she have any other children that your
10 mother assisted in raising?

11 A Yes. She raised all of her kids, all of my sister's kids.

12 Q And we've also met Stuart Sampson.

13 A Why.

14 Q And he is Anthony's brother?

15 A Yes.

16 Q And did he come out here to Phoenix too?

17 A I don't believe -- yes, he did. He did come out with her.

18 Q When you came to Phoenix, what did you do?

19 A I got a job at a temporary agency and I worked various
20 jobs as an order selector and I did some DME driver, durable
21 medical equipment and medical delivery.

22 Q So DMB --

23 A DME driver.

24 Q Tell the jury what that is.

25 A It's medical durable equipment like patients that --

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 in-home patients, I would deliver the equipment to their
2 homes, pick it up, or delivering new equipment for them.

3 Q And how long did you stay in Phoenix at that point?

4 A I was here until '97 and then I flew back home for my
5 sister's funeral. And I -- from Philadelphia I went to
6 Nashville, Tennessee, and stayed down there for a while.

7 Q And why did you go to Nashville?

8 A I went down there just to visit my brother and wind up
9 staying down there.

10 Q What did you do while you were living in Nashville?

11 A I worked at a company called Service Merchandise. Yeah.
12 Service Merchandise and another company called Becker Group.

13 Q How long did you stay in Nashville, Tennessee?

14 A I believe I stayed there for about three years.

15 Q Was there ever a time when you worked or lived in Detroit,
16 Michigan?

17 A No. I didn't live there. I went -- I went out there to
18 go help a friend with a shop that he was opening up and wound
19 up getting robbed and got shot in the back.

20 Q When you say you went to help a friend open a shop, what
21 kind of shop was it?

22 A It was a barber shop.

23 Q And you got shot while you were in Detroit?

24 A Yes.

25 Q How long did you stay in Detroit?

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 A Only a week.

2 Q And what did you do after that?

3 A Went back to -- after I left Michigan, I went back to
4 Tennessee. After I got healed, I wind up flying out, coming
5 back out here to Arizona.

6 Q And can you tell us approximately what year that was that
7 you came back to Arizona?

8 A Probably 2001.

9 Q Have you lived in Arizona pretty consistently since 2001?

10 A Yes.

11 Q When you moved back in 2001, what did you do for a living?

12 A I worked various jobs. I wasn't consistent with what I
13 was doing as a machine operator. I did some more DME work,
14 DME driving, and delivering medications for a company called
15 Olsteen Home Care.

16 Q At some point did you open up your own company?

17 A Yeah in 2005.

18 Q And let's get these felonies out of the way.

19 At some point did you get convicted of some felonies?

20 A Yes. I got convicted for -- I think it was in 2004, I got
21 convicted for a DUI.

22 Q So it was -- how did it -- if you know, how did it become
23 a felony DUI?

24 A At the time I think I didn't have my license and I was
25 driving without -- without my license.

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 Q Do you have more than one felony DUI?

2 A Yes.

3 Q How many do you have?

4 A Two.

5 Q And what are they for?

6 A DUIs.

7 Q Okay. They're both DUI?

8 A Yes.

9 Q You've got two felonies and they're are both DUIs?

10 A Yes.

11 Q Okay. What was the name of the moving company that you
12 started?

13 A Well, the first one was called DT Moving Services. It
14 stand for DT, Decarus Thomas, and it wasn't going so good. I
15 wasn't getting any hits on it.

16 Because of the little men I had Chris had drew up for
17 me, it looked like they were drunk moving people. So I said
18 this is not going to work. I need to change the name.

19 So I wind up changing it from DT Moving Services to
20 Git-r Done Moving and Cleaning Services, LLC.

21 Q When did you change the name to Git-r Done?

22 A Probably in 2007.

23 Q And what did Git-r Done do? What kind of business was it?

24 A Well, it was actually a relocating company, more catered
25 to the elderly because we went in and we packed the -- packed

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 them up, found the place if they needed a place for us to help
2 them out with transfer there electric, gas, or anything that
3 needs to be transferred for.

4 If they lost a spouse or whatnot and they need to
5 downsize into going to a retirement facility, we would go in,
6 downsize for them, take the stuff to Goodwill, get -- do
7 estate sales for them. We did just about everything for them.

8 Q Did you also -- was there a component of your company that
9 provided cleaning services?

10 A Yes. We also cleaned the facility, cleaned their place up
11 if they needed to be cleaned. If they needed shelving or
12 anything put up, hung pictures, all that stuff, we would
13 paint, do everything for them. They didn't have to do
14 anything. We did everything all the way down to making their
15 beds for them.

16 Q Did you own any trucks at this time in 2007?

17 A I owned a little truck. But if the job required for a
18 bigger job, I would lease, lease the trucks.

19 Q And who would you lease the trucks from?

20 A Through Budget.

21 Q Okay. And how long did you own that company Git-r-Done
22 Moving?

23 A Probably eight years.

24 Q Did you own it when you got arrested in this matter?

25 A Yes.

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 Q Okay. Now, were there other members of your family --
2 you've told us that your mom moved out here and then moved
3 back to Philadelphia and your nephews were here.

4 Were there other members of your family that actually
5 moved to the Phoenix area?

6 A Yes. I had a brother Demetrius Thomas that moved out
7 here.

8 Q We also -- we've met your brother James?

9 A Yes.

10 Q Did he move out here before or after you?

11 A I think he moved out here after me.

12 Q James had a different father than you?

13 A Yes, he did.

14 Q Okay. But you still treat him as your brother?

15 A Yes.

16 Q Full brother?

17 A Yes.

18 Q Are you close to James?

19 A Yes, I am.

20 Q Okay. Let's talk about Demetrius for a minute. Was he
21 older or younger than you?

22 A He was older.

23 Q Did Demetrius at some point convert to Islam?

24 A Yeah. Yes, he was Muslim, probably in '93 Philadelphia.
25 He was in Philadelphia when he converted. That's how I

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 learned about Islam is through him.

2 Q Did you convert in '93 or thereabouts?

3 A No -- well, I wouldn't say '93 because in '93 I was here,
4 but it was pretty early, probably in the 80s but I didn't
5 convert.

6 Q So your brother converted first?

7 A Yes.

8 Q Was he married?

9 A Yes, he was.

10 Q Did he have children?

11 A Yes, he did.

12 Q And what happened to Demetrius?

13 A He got shot in a driveby shooting.

14 Q Was he killed?

15 A Yes.

16 Q When was that?

17 A 2012.

18 Q Okay. Do you have an understanding of whether your
19 brother was involved in some sort of activity or was he a
20 bystander?

21 A He was a bystander.

22 Q Do you still have contact with your nieces and nephews,
23 Demetrius's children?

24 A Yes.

25 Q Are they still here in the Valley?

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 A Yes.

2 Q Now, do you know when Stuart began -- or did convert to
3 Islam?

4 A I want to say in 2007.

5 Q Okay.

6 A Thereabouts.

7 Q When did you ultimately convert to Islam?

8 A In like the end of 2010.

9 Q Okay. And what is -- is there a ceremony that one goes
10 through when they convert to Islam?

11 A Well, yeah. You take -- you will want to do it in the
12 mosque around the community. It's basically confessing to the
13 religion and you take the Shahadah.

14 Q What is the Shahadah?

15 A It's confessing to the faith. Which one would say --

16 (Witness speaking Arabic)

17 MR. MAYNARD: You have to slow down a little.

18 THE COURT: Well, no. He was not speaking English,
19 so slowing down isn't going to help.

20 MR. MAYNARD: Not going to help?

21 THE WITNESS: Which means:

22 I testify that there is no God but God and he is one
23 and has no partners and I testify that Prophet Muhammad, peace
24 be upon him, is the Messenger.

25 BY MR. MAYNARD:

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 Q And you did that sometime in the latter part of 2010?

2 A Yes.

3 Q And at some point did you change your name?

4 A I changed my name around January 2013.

5 Q Okay. Let me back you up a little bit.

6 We'll go back from 2013 to back to when you were
7 running this business. Where did you get your employees?

8 A Some of them I -- well, some of them was around, you know.
9 I would ask -- if someone knew of anybody that was looking for
10 help or needed work and some I would ask them to work with me.

11 Q Did you at some point meet a person by the name of Stefan
12 Verdugo?

13 A Yes. I met him -- I believe it was like 2005, 2006,
14 somewhere around there.

15 Q How did you meet Stefan?

16 A I met him through a friend Aaron. And I lived off of Bell
17 Road and Stefan lived not that far from me, like right around
18 the corner about -- I'll say about a half a mile.

19 Q At some point did Stefan then start doing work with you?

20 A Yes. He started working with me on the weekends, him and
21 his brother Josh.

22 Q And how long did Stefan work for you?

23 A Well, at that time he worked for me for about -- I would
24 say about a year, about a year, off and on.

25 Q Over the course of time from when you met him until the

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 time that you were arrested, did he work for you off and on?

2 A From the time that I got arrested? Or --

3 Q Prior.

4 A Prior? Off and on.

5 Q Prior five years before you were arrested, had Stefan
6 worked for you during that time period?

7 A Yes. Yes.

8 Q How often would he work?

9 A Off and on about, I would say, a year, for about a year.

10 Q Okay. Let's -- did you at some point meet a person by the
11 name of Elton Simpson?

12 A Yes.

13 Q Where did you meet Elton Simpson?

14 A I met him at a pizza shop off of 27th Avenue and Northern
15 that Nadir Soofi owned.

16 Q And was Simpson working there or how did you meet him?

17 A Yeah. He was working there. And I believe it was like
18 2011. 2011 I met him and he was working there.

19 Q And is this a pizza shop that you would go into
20 periodically?

21 A Yeah. It was around the corner from the house, so I would
22 go in and order pizza. And one particular day I drove up in
23 the truck and they seen the truck and I went in.

24 And they were -- Simpson, he asked me, he said, you
25 own that truck?

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 And I was, like, yeah.

2 We were trying to figure out who owned that. And
3 they would start laughing at it because they thought the name
4 was pretty cool. So I sat down and I started eating. Ordered
5 some food and started eating. And from there we exchanged
6 numbers and was talking every since.

7 Q Did you become friendly with him after that?

8 A Yes.

9 Q Did you become friendly with Nadir Soofi after that?

10 A Not -- no. I didn't. I knew of him, but didn't -- I
11 didn't, no.

12 Q Did you and Simpson go to the same masjed at that time?

13 A Yes. We did.

14 Q Had you seen him there?

15 A Nadir?

16 Q No. Had you seen Simpson at the masjed prior to seeing
17 him at the pizza place?

18 A Yes.

19 Q But you actually met him the first time at the pizza
20 place?

21 A Yes.

22 Q Did you guys become friendly at that time?

23 A Yeah, we talked, but not really close or anything but we
24 talked.

25 But whenever I go around to the pizza shop, we would

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 sit and discuss and talk and joke around.

2 Q At some point did you move from Bell Road to an apartment
3 or condominium at Vista?

4 A Yes.

5 Q Tell us when you moved to Vista.

6 A Well, I was staying with Sergio and --

7 Q Sergio Martinez?

8 A Yeah. Sergio Martinez.

9 Q The man that you went shooting with?

10 A Yes.

11 Q When were you living with Sergio?

12 A I lived with Sergio like -- 2009 to like -- well, no,
13 2008. 2008 to like 2010.

14 Q And then did you move to Bell Road after that?

15 A Not Bell Road. I moved to Vista.

16 Q Vista.

17 A Yes.

18 Q Okay. And who did you live with at Vista when you first
19 moved in?

20 A Abu Bakr Ahmed.

21 Q Can you say it again?

22 A Abu Bakr Ahmed.

23 Q Was there anybody else that was living in the house at
24 Vista?

25 A Abu Ahzeem. He's an old man.

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 Q Was he an older gentleman?

2 A Yes.

3 Q How is it that you ended up moving into that house at
4 Vista?

5 A In 2010 after I took Shahadah, I went to a Jumu'ah and
6 that's when you go in the path of God for like three days.
7 You stay at the mosque or you can stay there for 30 days or 60
8 days.

9 I only stayed for three days. And he was -- he
10 happened to be there and he asked -- he was asking a lot of
11 brothers was anybody looking for a place to stay. Originally,
12 the place was for Hakeem because Hakeem didn't have a place to
13 stay. So Hakeem didn't want to stay there, so I told him I
14 would. I would stay there.

15 Q Okay. Was -- Hakeem is your nephew that we talked about?

16 A Yes.

17 Q Was Hakeem working for you at the time?

18 A Yes. He was.

19 Q So you and Hakeem, did you move into the place at Vista?

20 A Yes.

21 Q At some point did Hakeem leave and go back to Phoenix?

22 A To Philadelphia?

23 Q Go back to Philly.

24 A Yes. I think it was in 2011 he went back to Philadelphia.

25 Q Do you have an understanding of why he went back to

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 Philadelphia?

2 A Me and him had got into a big argument because I didn't
3 feel as though that he should pray on the customer's time. I
4 felt as though that he was still in time from the customer if
5 he was to pray on the time while we were moving.

6 So I told him that he should ask the customer if he
7 could do that instead of just doing it. So he got mad at me
8 and he wound up wanting to go back.

9 Q At some point did Simpson move in with you at Vista?

10 A Yeah. I think it was like the end of 2011.

11 Q Okay. When is the first time you ever had contact with
12 the FBI?

13 A It was 2011, like around June of 2011.

14 Q Tell the jury what that was about.

15 A My nephew had -- I took my nephew to the airport. And I
16 told him, I said, if you have any problems with your flight or
17 anything, just give me a call and I'll come back and help you
18 out.

19 Well, I got about a half-hour down the road. He
20 called me back and he said I can't get on the plane. And I
21 said for what -- why? He was like I don't know. They won't
22 let me on the plane.

23 And he said that the FBI wanted to talk to him. And
24 I said for what. He was like I don't know. I said don't talk
25 to them. I will be right back there. And I got back there

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 and he started telling me it was like they wanted to talk to
2 him for whatever reason.

3 I was like what reason do they want to talk to you
4 for but they wouldn't let him fly. They wouldn't let him get
5 on the plane. So I told him come on, we will go back to the
6 house. And I tried calling to see what was going on, why
7 wouldn't they let him get on the plane.

8 And they kept telling me, oh, we only want to talk to
9 him for a couple minutes. We just want to ask him some
10 questions.

11 I didn't know what questions they wanted to ask him
12 for, but I know my nephew wasn't never into nothing. He never
13 even got arrested for anything. Apparently -- I didn't
14 even --

15 I didn't even know that Abu Bakr Ahmed had purchased
16 the ticket for my nephew which they were looking at Abu Bakr
17 Ahmed. But they thought that my nephew was a part of -- a
18 part of them. So he wound up getting on the plane and getting
19 back there after -- after they helped him get on the plane,
20 but they had put him on a no-flight list for a couple of days
21 for -- they wouldn't let him go.

22 THE COURT: Mr. Maynard, we're going to take our
23 lunch break.

24 MR. MAYNARD: Okay.

25 THE COURT: Ladies and gentlemen, we'll reconvene at

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 1:15.

2 You are reminded of the admonition not to discuss the
3 case among yourselves or with anyone else.

4 Please do not form any conclusions about the case
5 until you have heard all the evidence and begun your
6 deliberations.

7 Court is in recess until 1:15.

8 (Recess taken at 12:00 p.m.; resumed at 1:17 p.m.)

9 THE COURT: Good afternoon, ladies and gentlemen.
10 Please sit down. The record will show the presence of the
11 jury, counsel, and the defendant.

12 Mr. Maynard, you may continue with your direct
13 examination.

14 MR. MAYNARD: Thank you, Your Honor.

15 **DIRECT EXAMINATION (cont'd)**

16 BY MR. MAYNARD:

17 Q I believe where we were where we left off this morning was
18 that in 2012 you are living in an apartment or condominium at
19 Vista; is that correct?

20 A Yes.

21 Q Okay. And your nephew had just left to go back to
22 Philadelphia?

23 A Yes.

24 Q At some point does Simpson move in with you at Vista?

25 A I believe it's 2011 that he moved in like almost the end

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 of 2011.

2 Q Okay. So I probably misstated it.

3 Your nephew had left at the end of 2011 to go back to
4 Philadelphia?

5 A Right.

6 Q And after he's moved back to Philadelphia, Simpson then
7 moves in?

8 A Yes.

9 Q All right. At that point does Simpson ever begin to work
10 for you?

11 A Yes, he did.

12 Q And what is it that he's doing for Git-r Done?

13 A He was doing appointments -- appointment settings.

14 Q Explain to the jury what an appointment setter is.

15 A Well, he would go around on my computer and I would get
16 e-mails of customers or potential jobs. He would set the
17 appointments; call the customer and let the customer know
18 that, you know, if whatever spot we have, so I can go out and
19 do an estimate for them.

20 Q Okay. So you would get prospective customers come in.
21 You would then go out and look at it and estimate the job; is
22 that correct?

23 A Yes.

24 Q And then you had a truck and you would determine either
25 what size of truck you needed or how many people you needed,

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 that kind of thing?

2 A Yes.

3 Q All right. In the summer of 2012, was there an occasion
4 where a warrant was issued or executed against the property at
5 Vista?

6 A I believe that was 7/20/11. It wasn't in 2012. It was in
7 2011.

8 Q You think it was 2011?

9 A It was ten days before my birthday. It was the first day
10 of Jumu'ah -- I mean the first day of Ramadan in 2011. So it
11 was 7/20/11.

12 Q Tell us what happened.

13 A I was laying on the bed. Simpson was on the floor. And
14 Abu Bakr as was at the computer. I heard noise downstairs, so
15 I asked Abu Bakr why do he have his computer up so loud.

16 And he said: I don't have my computer up loud.

17 So I looked out the back window and I seen police out
18 in the back. So they were yelling: Open the door. Open the
19 door.

20 You know, it was about ten seconds. Abu Bakr was
21 going to run down and open the door. I just told him, I said
22 no, they already broke the window, so they are about to come
23 in. So they already -- they came in --

24 Q Well, tell us. When they came in, were you allowed to
25 stay or did you get put outside?

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 A No. We wasn't allowed to stay. They came in. They told
2 all of us to come -- to go outside. They put us in handcuffs.
3 And before they took us out, I was in the room. I was the
4 last one standing in the room.

5 So they asked me: All the equipment that's in here,
6 who does this equipment belongs to?

7 I said to them that this computer that was on the
8 desk belongs to me. That computer wasn't mine. It's the
9 other computer that was on the floor. It wasn't mines. But
10 the computer on the desk belongs to me. And I don't know
11 whose thumb drive that is that's in the computer.

12 So they took -- told us to go outside. And we're out
13 there, so they started interviewing us why while we were out
14 there and they were searching everything.

15 Q Okay. Who was living in the house at the time that this
16 warrant was being executed?

17 A Well, it was me, Ibrahim, Abu Bakr.

18 Q Ibrahim is Elton Simpson?

19 A Yes. Elton Simpson. Abu Bakr and Abu Adzeem.

20 Q Can you spell that?

21 A It's A-D-Z-E-E-M.

22 Q Was he an older gentleman?

23 A Yes.

24 Q Okay. Did you -- did they take any of the computers or
25 any of the electronic equipment?

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 A Yeah. This took all the electric equipment. They took
2 everything. They didn't take my cell phone but they took all
3 the computers and everything out of the house.

4 Q Okay. Did you continue to live in that place at Vista?

5 A No, I didn't. That night -- well, I boarded everything up
6 so that we could stay there for that night and cleaned all the
7 glass and everything up that was -- it was terrible in there.

8 So after that, the next day I went and looked and
9 found another place and that place was on Cochise.

10 Q Okay. Who moved with you to Cochise?

11 A Simpson, Adzeem -- I didn't want to mess with Abu Bakr
12 because what they --

13 Q Why didn't Abu Bakr Ahmed move with you guys?

14 A I didn't want him to move with us after finding that he
15 was doing some type of fraud stuff. I didn't -- I just didn't
16 want no parts of it.

17 Q Did you come to learn that the reason that the FBI had
18 executed the warrants and raided was because of something he
19 was alleged to be doing?

20 A Yes.

21 Q And "he" being Abu Bakr?

22 A Yes. Abu Bakr.

23 Q Okay. So now you've moved to the Cochise property and
24 you're with the elderly gentleman and Mr. Simpson?

25 A Yes.

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 Q Okay. And you're still running Git-r Done?

2 A Git-r Done.

3 Q And at some point do you have a falling out with Simpson?

4 A Yes. We do -- his --

5 Q When does that occur?

6 A About the summer of 2013.

7 Q Okay. Does that remind you -- I mean, how long did you
8 live in Cochise before you had that falling out?

9 A About a year.

10 Q Okay. So you moved into Cochise around 2012?

11 A Right.

12 Q All right. And so the execution of the warrant was
13 actually in 2012?

14 A Yes.

15 Q Okay.

16 A Yes. Sorry about that.

17 Q Okay. Tell the jury why you had this falling out with
18 Simpson.

19 A Well, he was watching these videos while they were -- they
20 were military videos and people bombing everything.

21 And I kept telling him don't get on my computer and
22 use -- and watch that stuff. And he was reading Inspire
23 magazines and all that stuff on my computer.

24 Stuff started happening. I didn't -- I wasn't --
25 they were -- it was another gentleman there that was Abdul

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 Wahid. They would communicate with each other while I'm in
2 the room. They would be signalling each other and saying
3 stuff and -- but by body language.

4 But I felt uncomfortable with it, so one day I went
5 to go clean the car and I found the tracking device in there.
6 And I just was like I can't deal with this anymore because I
7 didn't know exactly what was going on in the house.

8 And I didn't know if the FBI had put that in my car
9 because Simpson was the only one that was using the vehicle,
10 so I told him they had to leave. They didn't want to leave.

11 Q Let me stop you for a second. You heard AK's testimony
12 this morning.

13 A Yes.

14 Q And you heard him talking about something found in your
15 vehicle?

16 A Yes.

17 Q Is that what you're referring to is a tracking device?

18 A Yes. Well, I don't know if it was a tracking -- I know it
19 was something that was -- it was not supposed to be in the
20 vehicle. And I didn't -- I didn't put it in there.

21 I know that they had said something to me before in
22 thinking that I was FBI agent so -- or an informant -- so I
23 believed that they put it in there.

24 So I was like, you know what, you guys got to get out
25 of my house. I don't want no parts of it.

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 Q Did Simpson leave voluntarily?

2 A No. I --

3 Q Did you ask somebody to come help you?

4 A Yes. I called Abdullah Mubarak and he came over with a
5 couple -- with a couple guys and they put him out.

6 Q And Abdullah Mubarak, remind the jury if they don't
7 remember who he was.

8 A He came in with the abaya on. He was in the white abaya.

9 Q And what is that, the white thing?

10 A Well, it's -- on Friday you would get dressed up Asuna --
11 Asuna dress up like that on Fridays to go pray.

12 Q Okay. So in the summer of 2013 with the assistance of
13 with Mr. Mubarak you evict Simpson and another gentleman?

14 A Yes.

15 Q Are you living there by yourself at that point?

16 A No. Tobias and Josh Appleby moved into the place. And I
17 was --

18 Q How long did Tobias and Josh Appleby -- or Appleberry
19 live there?

20 A Well, they was there the summer of 2013 and they moved out
21 the fall of -- I want to say the fall of 2013.

22 Q So they were there for a couple months or --

23 A Yes.

24 Q And then does anyone else?

25 A Stefan Verdura and Janine moves.

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 Q Who is Janine?

2 A Janine is Stefan's girlfriend.

3 Q And how long does Stefan Verdugo live there with you with
4 his girlfriend Janine?

5 A Well, Janine moved out in January of 2014. Stefan still
6 stayed there. When Janine moved out in January of 2014, Lupe,
7 which is Stefan's baby's mother, she moved in. And the same
8 type that she moved in, Charles Bibb moved in.

9 Q Let's stop for a second. Who is Charles Bibb?

10 A Charles Bibb is Abdullah Mubarak's son.

11 Q And how long does Mr. Bibb live there with you?

12 A He is there early January to August of 2014.

13 Q Let's talk about how big this house is on Cochise.

14 How many bedrooms did it have?

15 A It had four bedrooms but I only used three.

16 Q And did you have a living room?

17 A Yes. Two bedrooms.

18 Q Kitchen?

19 A Yes.

20 Q You said it had two living rooms?

21 A Yes.

22 Q What did you use one of those for?

23 A For a prayer room.

24 Q Okay. And when the mother of Stefan Verdugo's children
25 moved in, did his children move in also?

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 A Yes.

2 Q And how long did Stefan live there with the mother of his
3 children and his children?

4 A February -- I put Stefan out because Stefan didn't want to
5 pay rent. He moved out the end of February.

6 Q So he was only there with his children for about a month?

7 A Yes.

8 Q Okay. Anyone else move in besides Charles Bibb after
9 Stefan moved out?

10 A Well, after Stefan moved out, Charles is still saying
11 there. Ricky Meechum moved in.

12 Q Who is Ricky Meechum?

13 A Ricky is my nephew from my brother's wife's side.

14 Q Your brother James who testified here earlier?

15 A Yes.

16 Q It's his wife's nephew?

17 A Yes.

18 Q And how long did Ricky Meechum live with you?

19 A Ricky stayed there until September of 2014.

20 Q Was Ricky Meechum a Muslim?

21 A No.

22 Q Was Stefan Verdugo Muslim?

23 A No.

24 Q Was Charles Bibb a Muslim?

25 A I could say -- no. I'm going to say no because he didn't

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 practice.

2 Q His father was a Muslim?

3 A Yes.

4 Q During this whole period of time, are those individuals
5 working with you in Git-r Done?

6 A Yes. But Stefan stopped after -- Stefan stopped after
7 February.

8 Q After February. After he moves out he's not working with
9 you?

10 A Right.

11 Q Okay. At some point did the FBI contact you about giving
12 you back the computer that they had taken while you were over
13 at Vista?

14 A Yes. That was in January, the end of January 2014.

15 Q So it's approximately a year-and-a-half that they had your
16 computer?

17 A Yes.

18 Q Did you want it back?

19 A No. I told them that they can keep it. I believe it was
20 Detective Nash that called me and asked me to come -- well,
21 actually told me I can come and pick up the property that they
22 had taken from Vista.

23 I told him, I said it was almost two years. I don't
24 want that. I don't want it back. I don't need it. I've got
25 another computer already.

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 He said, well, we can't just keep your belongings.
2 We want you to come and pick them up.

3 I told him I didn't want it because they probably put
4 something in it. I said you probably bugged it. I don't want
5 it. Throw it away. Do whatever.

6 He said, no, you have to come sign the document
7 saying that we are allowed to keep it.

8 So I already told him why I will come up there, so
9 since I was going up there to sign the document, I just might
10 as well just get the computer back from them.

11 Q Did you take the Lenovo back?

12 A Yes, I did.

13 Q And what did you do with the Lenovo after you received it
14 back?

15 A Well, when I went to go pick it up from Detective Nash,
16 he -- it was also -- he gave it to me -- yeah, it was a thumb
17 drive that was in the bag with it. He gave it back to me. I
18 signed the waiver and everything back for it.

19 I got the Lenovo back. I called Sergio and told him
20 I had got that computer back from the FBI. And Sergio said he
21 had wanted it. Then I told Sergio I would give it to him for
22 a payment for -- because I had borrowed money from him and I
23 told him I would give it back -- I would give it to him for a
24 payment.

25 So I took it to him. Both of us, well, said we

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 erased -- thought we erased it, but to the best of our
2 knowledge --

3 Q Did you attempt to erase what was on it?

4 A Yes.

5 Q Why?

6 A Because it was bad. I didn't want the kids to get ahold
7 of it.

8 Q Okay. And you said you owed -- why did you owe Sergio
9 money?

10 A I had got a machine from him. It was a carpet cleaning
11 machine I had purchased from him. But I still owed him like
12 500 more dollars for it, so I gave him the computer.

13 Q Did you ever borrow money from Sergio periodically?

14 A Yes.

15 Q Why? Why would you need to borrow money from him?

16 A Well, because my business is seasonal. And during the
17 wintertime no one is moving. No one is doing anything during
18 those months.

19 And I figured from October, November, December,
20 January, February -- October, November, December no one is
21 moving because of all of the holidays. After -- after
22 February through March, that's when business pick up.

23 Q By the way, do you ever borrow money from your brother
24 James?

25 A Yes. Yes.

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 Q So you give the computer to Sergio. Did you tell him it
2 was one that the FBI had had?

3 A Yes. Once I told him that it was the one that the FBI
4 had, he called his brother, which his brother works for Fry's
5 Electronics and he and his brother attempted to try to erase
6 whatever is on it and said that the computer was clean and the
7 kids can use it.

8 Q You also had the thumb drive?

9 A Yes.

10 Q What did you do with the thumb drive?

11 A Well, when I got the thumb drive back, I was having a
12 barbecue and I had lit the barbecue and I threw the thumb
13 drive in the barbecue.

14 Q Why did you destroy the thumb drive?

15 A Because I didn't know what Simpson had on there. And I
16 didn't want it going in my house and I didn't want no parts of
17 anything that he had had so I burned it.

18 He asked me for it and he got pissed because I burned
19 it because he told me that he couldn't get that information
20 that was on there ever again.

21 So I was like I'm sorry. I didn't want it in my
22 house.

23 Q At some point after you had thrown Simpson out of your
24 house, did you guys begin to become friends again?

25 A Well, that was after I got the computer back. But, yeah,

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 we spoke periodically but like around -- we started really
2 talking like around March of 2014, somewhere in between -- he
3 would come over but not every day but --

4 Q And let me jump you to the summer of 2014. And the
5 summer, let's say, from July until September or so, who is
6 living with you during that period of time?

7 A July?

8 Q Yeah. In the summertime of 2014.

9 Is Ricky Meechum still living there?

10 A Yes -- no. Ricky moved out in September -- yeah. Ricky
11 is there in the summer of 2014? Yeah, I think Ricky is there.

12 Q Is Verdugo living there in the summer of 2014?

13 A No.

14 Q Is -- is there anybody else? We've heard of an individual
15 that's been referred to as Black Billy?

16 A Lupe -- Black Billy moved in in August of 2014.

17 Q When did you meet him?

18 A Probably in 2010.

19 Q Okay. Did he work for you or what did he do?

20 A Well, he was working with a mechanic shop I would take my
21 trucks to and he needed a place to stay because he was
22 sleeping at the yard. So Sala had asked me could he --

23 Q Who is Sala?

24 A Sala is the owner of the auto mechanic shop. He asked me
25 could he stay there with me and I allowed him.

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 Q Okay. Now, at this point let's get into the fall of 2014.
2 You still got the business?

3 A Yes.

4 Q Did Simpson work for you ever after you threw him out of
5 your house?

6 A No.

7 Q Okay. Did he -- at some point did he start coming back to
8 your house over on Cochise?

9 A Yes.

10 Q When did you -- when did he start coming back to the
11 house?

12 A I would say around March of 2014.

13 Q Did it -- did his visits to the house begin to increase as
14 the year went on?

15 A Yes.

16 Q And you guys get friendlier and friendlier with each
17 other?

18 A Yes. And he would come by around -- about two to three
19 times a week.

20 Q And what would you do?

21 A Well, I would cook. We would eat. And we would both eat
22 and then invite other brothers over and go out to go have
23 Chia.

24 Q When you say we would invite other brothers over --

25 A Like certain -- well, Abdul Khabir would always come with

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 Simpson. So it would be me, Simpson, Abdul Khabir. And we
2 would hang out at the house and we would go over to have Chia
3 at Hava Java and that type of thing.

4 Q And Abdul Khabir, that was the gentleman who testified
5 this morning?

6 A Yes.

7 Q Okay. Did you ever go to his house, Abdul Khabir's house?

8 A Yes. I went to Abdul Khabir's house, but I didn't go and
9 stay over that much. I would go and sit probably about an
10 hour or two and then leave. But the majority of the times he
11 wouldn't want to stay in his house neither. He would just
12 come with me and we would go to my house.

13 Q Now, in the summer of 2014 there are some young boys who
14 live across the street from you?

15 A Yes.

16 Q Carlos?

17 A And Juan.

18 Q Okay. Did you begin to employ them?

19 A Yes. Lupe -- well, Lupe had moved --

20 Q Tell the jury who "Lupe" is.

21 A Lupe is their older brother and he did work for me. He
22 moved into my house. He was there for about a month in
23 October. He moved out the end of October.

24 Q October of what year?

25 A 2014.

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 Q Okay. I'm sorry. Go ahead back.

2 A And so the kids would come over to the house while he was
3 there and -- but in July -- in July they started cleaning up
4 my front yard and backyard and watching, you know, taking care
5 of Billy's dogs and they did that periodically for about until
6 August. August of 2014.

7 Q And did you pay them?

8 A Yes.

9 Q And did you give them cash?

10 A Yes, I did. But Ruth, their mother, told me not to give
11 them any money. So from July till August, I would give them
12 \$20 a week. So they accumulated like \$160 bucks within the
13 two months. So she told me don't give them the money because
14 Carlos would do stuff with it. She didn't want them getting
15 the money themselves because she wanted them --

16 Q Okay. And what would you do with the money if you didn't
17 give it to them?

18 A Well, I would go and get what she wanted them to have. If
19 they wanted clothes, she -- I would get the clothes for them.
20 If they wanted -- if they needed shoes, I would purchase the
21 shoes out of that. And they bought a video game out of it so.

22 Q Now, during this time period Simpson is still coming over
23 to your house?

24 A Yes.

25 Q And at some point their -- Carlos and Juan's brother moves

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 in?

2 A Yes.

3 Q And does he have his own bedroom there?

4 A Yes.

5 Q Did you always keep a bedroom for yourself?

6 A Yes.

7 Q And it had a bed in it?

8 A Bed in it. Everything in it.

9 Q Is that where you spent most of your time?

10 A No. I spent most of my time in the prayer room.

11 Q Okay. Did -- do you remember the month that Juan and
12 Carlos's brother lived with you? What month was that?

13 A October.

14 Q And did he move out the end of October, the first part of
15 November?

16 A Yes. Yes.

17 Q Okay. And during that time period, did Juan and Carlos
18 come over and hang out in his room?

19 A No. When he moved out, Billy went to the park and came
20 back with a family Maurice. And after Lupe moved, out Maurice
21 came and moved in and he had two little boys that lived there
22 too.

23 Q So after Lupe moves out, then there is somebody else who
24 moves into that bedroom with two kids?

25 A Yes.

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 Q And do you have a bedroom?

2 A Yes.

3 Q And Billy has a bedroom?

4 A Yes.

5 Q And the guy who moves in with the two kids, is he a
6 Muslim?

7 A No.

8 Q Okay. You also mentioned a few minutes ago that Billy had
9 dogs.

10 A Yes.

11 Q How many dogs did Billy have?

12 A Billy had two pit bulls and in January the dogs had eight
13 dogs. So it was -- it was like ten dogs -- it was ten dogs at
14 the house.

15 Q Okay. I thought Muslims didn't keep pets.

16 A You're not supposed to.

17 Q Okay. At some point did you get a check for \$10,000?

18 A Yes. In November.

19 Q What was that check for?

20 A My got into a car accident in December of '13.

21 Q And what did do you with the \$10,000 check?

22 A Well, I deposited it into -- well, I didn't have -- I had
23 a business account and I was having problems with that
24 account.

25 So I didn't have a personal account, so I went to

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 open up a personal account and the personal account was at BMO
2 Harris. And I deposited it inside of the BMO Harris Bank.
3 And about a couple days later I was -- I withdraw like \$5,000
4 out and went down to San Diego and purchased a truck.

5 Q Hold on just a second. Can the witness be shown Exhibit
6 559.

7 A Thank you.

8 Q I'm going to direct your attention to the writing that's
9 in the middle of 559.

10 Do you recognize that document?

11 A Yes.

12 Q Did you prepare this document?

13 A Well, the guy who I got the truck from did.

14 Q Is that your signature on the document?

15 A Yes.

16 MR. MAYNARD: Move for the admission of Exhibit 559.

17 MR. KOEHLER: No objection.

18 THE COURT: 559 is admitted.

19 (Exhibit No. 559 admitted in evidence.)

20 MR. MAYNARD: May I publish?

21 THE COURT: You may.

22 BY MR. MAYNARD:

23 Q Why did you have this receipt for the GMC box truck?

24 A Well, when I withdrew the \$5,000 out of the account, the
25 reason why I withdraw the money out of the account is because

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 they didn't have a BMO Harris Bank in San Diego.

2 So I didn't trust the guy that I was giving the money
3 to. I made up some type of document to drive that truck back
4 over to Phoenix. So I asked him to write that up for me so
5 that I would have something showing that I purchased it.

6 Q And where did you keep this document?

7 A It was inside of a -- inside of a book.

8 Q And where was the book kept?

9 A Inside of my bag, black bag.

10 Q And where was your bag kept?

11 A With me all the time inside the truck or inside my car.

12 Q When you were arrested on June 10 of 2015, where was that
13 bag?

14 A In the truck.

15 Q And is it your belief that this number 22, is that from
16 the FBI when they searched your truck that day?

17 A Yes.

18 Q Now, how did you get over to San Diego?

19 A I drove, me and Billy.

20 Q And then one of you drive this truck back?

21 A Yes. I drove the truck back.

22 Q Now, at some point did you buy a .38 caliber pistol?

23 A Yes. I bought that in -- sometime in December.

24 Q December of what year?

25 A '15 -- well, '14. 2014.

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 Q Where did you buy that pistol?

2 A I purchased it from a guy off of Backpage.

3 Q There was a man who came in here and testified, Mr. Raper?

4 A Raper. Yes.

5 Q Do you remember him?

6 A I vaguely remember him, but I did buy the gun from him.

7 Q That is the man that you bought the gun from?

8 A Yes.

9 Q And how much did you pay for the gun?

10 A I paid \$350.

11 Q He said you paid \$300?

12 A No. \$350.

13 Q What did you get for your \$350?

14 A He gave me the gun and some bullets.

15 Q And how many bullets did you get?

16 A It was about a half a box that was in it.

17 Q Where did you meet him when you bought that gun?

18 A 83rd Avenue and Union Hills.

19 Q What time of day did you meet him?

20 A It was night.

21 Q Was anybody with you when you went and met with him?

22 A It was Abdul Khabir and Simpson.

23 Q Did you tell them what you were going to do?

24 A No. I didn't.

25 Q Okay. How long did that transaction take when you bought

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 the gun?

2 A Oh, probably about ten minutes.

3 Q Did you have any conversation with that gentleman other
4 than giving him the money and him giving you the gun?

5 A Yes. He asked me what did I need the weapon for. And I
6 told him that I own a moving company and I carry -- I have a 9
7 millimeter that I carry but it's too bulky. And I wanted
8 to -- a smaller gun so I could keep it on my person.

9 And then he asked me, he said: You own a moving
10 company?

11 I told him: Yeah.

12 He said: Are you hiring?

13 And I told him: Not right now. Probably during
14 the -- it's slow right now but in March stuff starts picking
15 up.

16 He then told me that he had a .22 that he wanted to
17 sell. And I told him I don't need another gun. I only need
18 that one and that's the only one I was interested in.

19 I then gave him one of my business cards and told him
20 if he's looking for work to give me a call around that time
21 and I probably could help him out.

22 Q Did you ever say to him, "I'm in the market for buying
23 guns"?

24 A No. No, I didn't.

25 Q Did he ever call you about working for you?

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 A No, he didn't.

2 Q Okay. Now, did there come a point in time when you bought
3 any additional .38 caliber shells for that gun?

4 A Yes. It was still in the month every December. I called
5 somebody on Backpage and went out -- went out there -- well,
6 the person told me that they had some bullets for sale.

7 I went -- I only wanted four boxes. And they told --
8 they asked me was I interested in buying a six-pack. And I
9 told them I was.

10 And at the time it was me and Simpson was there.
11 Simpson had told me that he needed some shells for his gun
12 that he had. So we both split the money and the cost of the
13 bullets. So he took three boxes and I took three boxes.

14 Q All right. Let me move you forward a little bit.

15 It's now December 31st. It's New Year's Eve. Who's
16 living with you now?

17 A Stefan Verdugo had moved in the house. So it's Billy and
18 Stefan Verdugo and it's around December the 27th.

19 Q Okay. Moving forward now to New Year's Eve, what did you
20 guys do on New Year's Eve, if anything?

21 A Well, I went and purchased some fireworks for the kids
22 across the street. I don't know. It was from one of those
23 tent sales. And it was a fairly big box of fireworks.

24 And when it started getting dark, I started setting
25 them up so we could light them off and I noticed Carlos

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 running back and forth in the house coming to the box and
2 grabbing the fireworks and taking them back into the house.

3 Well, Stefan was in there ripping them open and
4 putting them inside of a bag. And I walked inside the house
5 and I asked him what was he doing. Why is he ripping them up.

6 I said I bought these for these kids. Why are you
7 tearing these up? And he said, oh, this is going to be cool.
8 You just got to take a look at it and watch it. I said don't
9 rip no more of those up because I didn't buy them for that
10 purpose.

11 So I took the ones that he had before he could rip
12 them up and he put -- I don't know -- inside of a bottle. He
13 put some gun powder inside of a bottle and went outside to
14 light it and nothing happened. It just -- poof -- like
15 disintegrated, you know.

16 Q Did it blow up?

17 A No. It didn't do anything.

18 Q Who was there?

19 A It was the kids across the street and me and Stefan and
20 Lupe and his girlfriend.

21 Q This is the brother of the kids across the street?

22 A Yeah.

23 Q Is Simpson there?

24 A No.

25 Q Soofi there?

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 A No.

2 Q Did you ever ask Verdugo to make a pipe bomb for you?

3 A No.

4 Q Did you ever ask him how to make a pipe bomb?

5 A Never.

6 Q Now, in January of 2015, who is living in your house?

7 A Well, it's me and Billy there. And, well, me and Billy
8 and I think -- back up a little bit.

9 Yes. It was me and Billy and -- and Mo is there with
10 the kids.

11 Q Who is there with the kids?

12 A Mo.

13 Q Who is Mo?

14 A Maurice.

15 Q So the homeless guy down the street?

16 A Yes.

17 Q Living there?

18 A Yes.

19 Q Stefan Verdugo still living there?

20 A Yeah. He's still living there. And that's in January.
21 And January he moves out.

22 Q How long -- you have told us Stefan Verdugo moved in
23 around the last week in December.

24 A Yes.

25 Q When in January did he move out?

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 A I want to say before the end of January.

2 Q Okay. Now, you had been friends with Mr. Martinez for a
3 long time?

4 A Yes.

5 Q Correct?

6 A Yes.

7 Q You had actually lived with him?

8 A Yes.

9 Q Had you been to his mother's house or his father's house?

10 A Yes.

11 Q Okay. What would you go to Sergio Martinez's parents'
12 house for?

13 A Well, we would go out there. I had some quads out there
14 and I had a go-cart that was out there. And we would go out
15 there and go four-wheeling, shooting, and we would just have a
16 good time out there.

17 Q Well, what kind of guns did people shoot at Ms. Martinez's
18 house?

19 A Sometimes they would shoot 12 gauge. I don't know all
20 their names of the rifles.

21 Q What did you shoot when you were out there?

22 A I had my 9 millimeter. I would shoot it out there.

23 Q At some point did either Simpson or Soofi call you about
24 going shooting?

25 A Yeah. Simpson had called me and --

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 Q When was this that you recall?

2 A I would say it was sometime in January.

3 Q Had you ever been shooting with Simpson before?

4 A Yes.

5 Q When had you gone shooting with Simpson earlier?

6 A Probably, about April of 2014.

7 Q And where was that?

8 A At Sergio's mom's house.

9 Q Did Simpson have a gun?

10 A He had a 9 millimeter.

11 Q Okay. And you had a 9 millimeter?

12 A Yes.

13 Q All right. So now he calls you in January about going out
14 shooting again?

15 A Yes.

16 Q Okay.

17 A Well, he called -- he called me and asked me was I at the
18 house and he came over to the house. And he said can you call
19 Sergio and ask Sergio can we go out to his mom's house and go
20 shooting.

21 I said all right, I'll call her. And I called him.
22 And I told Simpson, I said, he said not this weekend. We can
23 go probably the next weekend.

24 So the next weekend came. Simpson came over and he
25 asked me to call Sergio but he was being real pushy, like,

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 dude, find out if we can go. And I was like wait, it's not my
2 house.

3 So I called Sergio and Sergio was like, no, we can't
4 do it right now because I got to take the kids to a wrestling
5 match and probably the following -- the following weekend we
6 can go. So Simpson got a little mad but the following weekend
7 we did go. Simpson came over to the house, him and Nadir.

8 Q Whose car did they drive?

9 A It was the black car, Nadir's.

10 Q Okay. Whose car went from your house out to Sergio's
11 house?

12 A My car did.

13 Q Did you see them put guns into your car?

14 A Yes.

15 Q What guns, if any, did you take with you?

16 A I had my .38. I didn't really see them. The guns was in
17 some type of -- I don't know if you want to call it a bag, but
18 it was -- they were strapped to something and they put them
19 inside of the back of my truck.

20 Q So you then drive with Simpson and Soofi out to Sergio's
21 house?

22 A Yes.

23 Q Do you recall -- do you recall what day it was?

24 A No, not really.

25 Q Do you recall who was there when you got there?

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 A Sergio was there and Vonnice and Daniel, that's Sergio's
2 two little kids.

3 Q Did you know them pretty well?

4 A Yes.

5 Q What did you guys do when you got there?

6 A Well, I talked to Sergio for a minute and Nadir and Sergio
7 started talking. And so Nadir said to me, wow, Simpson was
8 playing -- playing basketball.

9 Nadir said to me can you unlock your -- your truck.
10 So I unlocked it. He went out to the truck and came back in
11 with that bag. It wasn't a bag. I know they were strapped to
12 something but it was covered.

13 So he came back out and him and Sergio was out there
14 and they were talking about the guns, like basically,
15 show-and-tell. He was showing -- Sergio was showing him the
16 new gun that he got and Nadir was showing Sergio the guns that
17 he had.

18 Q At that point did you have any understanding of whose guns
19 those were?

20 A No. I didn't.

21 Q Did you -- did you know whether or not Simpson had ever
22 bought a rifle?

23 A No. I didn't think Simpson had -- had any rifles. For me
24 looking at that, I thought the guns belonged to Nadir.

25 Q Did anybody ever tell you that Simpson had bought a rifle?

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 A Someone called me probably like in October, November, and
2 said something about him -- well both of them purchasing some
3 AKs but I don't know exactly who it was that said something to
4 me about it.

5 Q Did you ever talk to Simpson about that?

6 A No.

7 Q Did you buy those guns?

8 A No. I haven't.

9 Q Did you loan them the money to buy those guns?

10 A No.

11 Q Did you give them the money to buy those guns?

12 A No.

13 Q Did you have anything to do with the purchase of those
14 guns?

15 A No.

16 Q Are you sure?

17 A Yes, I am. Absolutely, sure.

18 Q Did you ever purchase rifle ammunition for those guns?

19 A No.

20 Q Did you ever loan them money to purchase rifle ammunition?

21 A No.

22 Q Were you ever with them when they bought rifle ammunition?

23 A No.

24 Q Did you even know when they went and bought the rifle
25 ammunition?

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 A No.

2 Q All right. How long did you stay at Sergio's house?

3 A I know we were there until Nicole got back from -- she was
4 at the store getting groceries. I know we were there until
5 she got back with the groceries. But, yeah, we prayed and
6 then after that she came back and then we was there for about
7 a good hour, an hour before we went out.

8 Q And this is in January?

9 A Yes.

10 Q Do you recall what time of the day it was?

11 A Probably, around 3:00, 3:30, somewhere around there.

12 Q What time would you have normally prayed?

13 A Like around 3:00.

14 Q So it's sometime after that then?

15 A Yes.

16 Q Okay. Did you pick the place where you went to shoot that
17 day?

18 A No.

19 Q Who picked the place?

20 A Sergio.

21 Q And did Sergio go in your car with you?

22 A No. He drove his truck.

23 Q And who went with Sergio in his truck?

24 A His kids.

25 Q And how many kids were there that went with him?

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 A Two.

2 Q How far away from Sergio's house did you go before you
3 stopped in the desert to shoot?

4 A I don't really know the distance because we --

5 Q I mean, did you drive for an hour?

6 A Probably about -- I would say about ten, 15 minutes.

7 Q Okay. Had you ever been to that particular part of the
8 desert to shoot?

9 A No.

10 Q What did you guys do when you got there?

11 A Well, we got out. I got out. And Simpson and -- they got
12 out. They were -- it was like a dump, a dump area, like for
13 like people just dump stuff over there.

14 So they got out and they found some stuff to shoot
15 at. They had boards they put up and I put up. I had some
16 targets. They were like bulls eye targets. I hung mines up.
17 And Simpson had theirs. They had to stick sticks to make it
18 stay up because of what they -- where it was going to be
19 shooting at.

20 Sergio was positioned here, probably like
21 north/northwest. They were south, like southeast and I was
22 over towards this way like southwest.

23 Q You're talking about where you guys were all standing?

24 A Yeah.

25 Q When you were shooting?

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 A Yeah. Positioned.

2 Q Okay. Did you shoot any -- well, what weapons did you see
3 out there? You have your 38?

4 A Right.

5 Q Sergio bring a gun with him?

6 A Yes.

7 Q Do you recall what he brought?

8 A I want to say -- I don't really remember if it was a 22 or
9 like 410. I don't really remember exactly which one it was.

10 Q Do you remember the kinds of guns that were brought by
11 Simpson and Soofi?

12 A Well, yes. Simpson and Soofi, both guns that I thought
13 that was Nadir's, he had the AK black one, the black AK.

14 Q Is that the one we've seen her for the last three weeks?

15 A Yes. And the pistol, the pistol-grip one.

16 Q The pistol being one that had a collapsable stock on it
17 that we've seen here also?

18 A Yes. That one and the AK.

19 Q Did you shoot any of those guns?

20 A I shot -- I believe I shot the one that had the
21 collapsable -- you know, that funny-looking one. I think I
22 shot that one. And I know I shot the small AK. Like I shot
23 like three shots with it. I didn't like it because it was too
24 powerful.

25 Q Had you ever shot an AK47 before or an AK-74?

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 A No.

2 Q Did Sergio shoot those?

3 A I can't -- I only remember the -- the funny-looking one
4 him shooting. I don't really remember him shooting the other
5 ones.

6 Q When you're talking about the funny-looking one, is that
7 the one with the collapsable stock?

8 A Yes. Collapsable stock.

9 Q The 9 millimeter with a collapsable stock?

10 A Yes.

11 Q How long were you guys out there shooting?

12 A I really don't remember how long we were out there. I
13 know it started getting dark.

14 Q All right. Why do you remember it started getting dark?

15 A Because I was watching Ibrahim -- well, I was turned this
16 way. And after I got finished shooting, I went to Sergio and
17 Sergio had yelled to me. He said look at him.

18 He was talking about Ibrahim. But when I looked up,
19 I only seen Ibrahim like moving a little bit but he was
20 moving, like skipping, with the gun.

21 But you could see the fire coming off the gun. And I
22 went to go take a picture of it. And Ibrahim started yelling
23 at me and telling me not to take the picture of him. And
24 took -- ran towards the car and told me to erase it.

25 And that's how I know it was dark because you could

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 see the flames coming off the gun really, really wide.

2 Q Did -- did you tell Ibrahim or Nadir how to shoot the
3 guns?

4 A No.

5 Q Did you give them any instructions at all?

6 A No.

7 Q Have you -- had you ever instructed anybody on how to
8 shoot an AK-47 or an AK-74?

9 A No.

10 Q Did you really know much about those two guns?

11 A No, I didn't. I didn't know anything about it. That was
12 the first time I ever seen those guns or handled one.

13 Q Did anybody go around and pick up the shells that were on
14 the ground?

15 A No. I had a bag that I always kept with me whenever I'm
16 shooting. If we was out at Sergio's mom's house, we never
17 left the shells on the ground. We would go pick the shells
18 up. Any shells that were there, we would always rake them all
19 up and throw them away.

20 I had a bag that I was shooting. I was just dumping
21 the shells inside of.

22 Q But you didn't see anybody else picking up any of the
23 other shells as if they were trying to cover their tracks?

24 A No.

25 Q Did you go -- did you go back to Sergio's house after

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 that?

2 A No. I drove and -- Sergio went home and I drove to my
3 house and they took the guns out of the car and put the guns
4 back into their car.

5 Q Was there anybody at your house when you got there?

6 A Yes. Stefan was. He was sitting in front of the door.

7 Q Did you go with Simpson and Soofi to their place?

8 A No.

9 Q In fact, had you ever been to Simpson and Soofi's place as
10 of the time that you went shooting in January of 2015?

11 A No.

12 Q Did you know where they lived?

13 A No.

14 Q Okay.

15 A I knew -- well, apartment complex, but not the apartment.

16 Q Okay. When in relationship to this time you went shooting
17 did Stefan Verdugo move out of your house?

18 A Like the end of January.

19 Q So he was not there in February or March?

20 A No.

21 Q Do you know where he moved to?

22 A No, I don't. I heard that he had moved with Nick but I
23 didn't -- I didn't care where he moved at.

24 Q Who is Nick?

25 A Some kid he was hanging out with.

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 Q Did you know this guy by the name of Nick?

2 A No.

3 Q In February -- strike that.

4 When was the first time you ever went to Simpson and
5 Soofi's apartment?

6 A Sometime in February.

7 Q What were the circumstances around your going to their
8 apartment?

9 A I would have had got off because the pipes bust in the
10 backyard and it was flooding in the neighbor's yard out. So
11 the Water Department came out and shut the water off and said
12 to me that I had to get my landlord to fix it in order for
13 them to come back out to turn it back on.

14 Q And how is it that that caused you to go to Simpson and
15 Soofi's apartment?

16 A Well, I couldn't shower. And I remember I had called them
17 and asked them can I come over and take a shower.

18 And I went over --

19 Q Let me stop you for just a second. You said "I called
20 them." Who did you actually call?

21 A I called Simpson.

22 Q Did you know Soofi that well at the time?

23 A No.

24 Q I mean, you knew him from running the pizza place, right?

25 A Right.

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 Q And did you see him at the masjed?

2 A Sometimes but very -- I didn't barely talk to him.

3 Q Is it fair to say that you were much closer to Simpson
4 than you were to Soofi?

5 A Yes.

6 Q You were close with AK?

7 A Yes.

8 Q You were close with Mr. Mubarak that we've seen?

9 A Yes.

10 Q All right. You call Simpson and ask him to -- whether you
11 can go to his place and take a shower?

12 A Yes.

13 Q Do you recall when that would have been?

14 A I don't remember the exact date, but I know it was in
15 February. And I asked him can I take a shower. And he said
16 yes.

17 I went over there that day. I showered. And then I
18 had ate something. I remember my sugar was up. I checked my
19 blood and it was -- my sugar was up really high so I didn't
20 want to drive so I stayed over.

21 Q Did you actually spend the night at Simpson and Soofi's?

22 A Yes.

23 Q Had you ever spent the night there before?

24 A No.

25 Q Did you ever spend the night there afterwards?

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 A No. I didn't spend the night there afterwards but I did
2 go there the next day to shower again.

3 Q Okay. All right. Was that day on a weekend or during the
4 week, if you recall?

5 A I believe it was during the week.

6 Q Who was there?

7 A Ali Soofi was there, Ibrahim and Nadir Soofi.

8 Q Was the little boy, was Nathaniel there.

9 A Not -- not during that time.

10 Q Okay. Had you -- did you know Ali Soofi at that point?

11 A No.

12 Q Had you met him before?

13 A I had -- when that first day that I took the shower,
14 that's when I met him. I seen him at the mosque but never
15 spoke to him or anything. I spoke to him when I went and took
16 the shower.

17 Q Let's talk about that apartment for a minute.

18 How many bedrooms did Simpson and Soofi's apartment
19 have?

20 A One bedroom.

21 Q Who stayed in that bedroom?

22 A Nadir Soofi.

23 Q All right. What was the living room like?

24 A Well, it was a pretty big living room with the L-shaped
25 couch. Ali slept on this side and Simpson was sleeping on

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 this side of the couch.

2 Q The night that you spent the night over there, where did
3 you sleep?

4 A I slept on this side of the couch that Simpson slept on.

5 Q And where did Ali Soofi sleep?

6 A He slept on that side of the couch.

7 Q Where did Simpson sleep?

8 A Simpson slept on the floor.

9 Q Are you sure that you only slept at their place one time?

10 A Yes.

11 Q In your entire life?

12 A Yes.

13 Q You heard Ali Soofi say that you slept there many more
14 times than that?

15 A That's absolutely not true. I only slept there one time.

16 Q Okay. When was the next time you went to Simpson and
17 Soofi's apartment?

18 A I know it was on probably a weekend and I only stayed
19 there for probably an hour.

20 Q Had you seen Nathaniel Soofi before?

21 A Yeah. That's when I seen him. That was on a weekend.

22 Q Had you ever seen him either at a park or at your place?

23 A Yes. He came by my house -- while Nadir messed his head
24 up -- his hair up when he was trying to cut it.

25 And he had to go back to his mom's house and it was

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 like his mom was on his way to come pick him up. So there is
2 no shops open on Sundays so he called me and asked me can I
3 fix Nathaniel's hair.

4 And he brought Nathaniel over there and that
5 Nathaniel had patches everywhere. So I was like what did you
6 do to him? So I hurried up and fixed it for him and he took
7 Nathaniel and left.

8 Q I asked Nathaniel if you had cut his hair and he didn't
9 remember that. Are you sure you cut his hair?

10 A Yes.

11 Q Now, how many times in all did you ever go into Simpson
12 and Soofi's apartment?

13 A I would probably say somewhere around four to five times.

14 Q Okay. And was it then after this first time that you
15 spent the night there and you took the shower?

16 A Yes.

17 Q How many times did you go to the apartment but not go into
18 it?

19 A I believe probably about 10 to 12 times.

20 Q And why would you go there and not go into the apartment?

21 A I went there to go pick Simpson up.

22 Q And --

23 A And we would go out to go -- we would go out to go have
24 tea or go to a restaurant.

25 Q And would you call him? Blow the horn? What did you do?

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 A No. I would call him on my phone and let him know that
2 I'm coming through the -- I'm in the apartment complex and he
3 would just come outside and meet me.

4 Q But you're sure that's -- that you only have been in their
5 place four or five times at most?

6 A Yes. Positive.

7 Q Now, when you were there was Ali Soofi there every time?

8 A Yeah.

9 Q Okay. On the weekends did he stay there?

10 A I seen him that weekend that I was there, he was there.

11 Q Now, at some point did -- after Stefan Verdugo had moved
12 out in January or had left, did he ask to come back and live
13 with you?

14 A Yes, he did.

15 Q And did you let him come back and live with you?

16 A No.

17 Q Did anyone else call you on behalf of Stefan Verdugo and
18 ask if he could come -- if Stefan could come back and live
19 with you?

20 A Yes. Yes. It was Daniel. Dan VanHook. And I told
21 Daniel, no, don't tell him where I live. Do not let him know
22 anywhere. And Daniel said why won't you just let him come
23 back and stay. He don't have nowhere to stay. And I say I
24 don't need that problem so he have to fend for hisself and I
25 don't want that problem at my house anymore.

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 Q When did you move out of the house that was on Cochise?

2 A I would say probably like around March 15th.

3 Q And where did you move?

4 A Well, I stayed with -- I didn't move my stuff out of there
5 yet. I was -- I still had all my things there.

6 Q Well, let me stop you right there.

7 March 15 or thereabouts, who is living in that house
8 in Cochise?

9 A It's Maurice with his two kids, Billy, and Billy had found
10 another homeless lady and she had two kids that was living in
11 there.

12 Q And so where did you start staying in the latter part of
13 March of 2015?

14 A I went to Abdul Mubarak's house.

15 Q And how long did you live with Abdul Mubarak?

16 A I would say about a week-and-a-half, not even.

17 Q Did you spend any time with your brother during that time?

18 A Yes, occasionally. I stayed with my brother occasionally.

19 Q And then did you eventually rent a new apartment?

20 A Yes.

21 Q And when did you move into that new apartment?

22 A Probably the 2nd of May -- I mean, the 2nd of April.

23 Q And where was that apartment?

24 A Off of 21st Avenue and Thunderbird.

25 Q And how many bedrooms was the apartment?

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 A Three bedrooms.

2 Q You certainly had room for Stefan Verdugo. Is this the
3 place that VanHook asked you to let Stefan Verdugo move into?

4 A Yes.

5 Q And you refused?

6 A Yes.

7 Q Now, did there come a time when you were driving on the
8 road and you saw Stefan Verdugo at a bus stop?

9 A Yes. I was coming off of Cave Creek coming from the
10 apartment. And I got to Hatcher and I seen him at the bus
11 stop. And I pulled over into a driveway and him and her --
12 him and his girlfriend got in the car.

13 Q Had you ever met her before?

14 A No.

15 Q Did you recognize the woman that testified here as the
16 girl that you picked up that day?

17 A Well, I didn't recognize her that day that she came and
18 testified. She was about -- she looked like she gained about
19 50 pounds. She was really, really thin --

20 Q So --

21 A -- when I met her.

22 Q The woman you picked up with Verdugo was very thin?

23 A Yes.

24 Q But you don't have any reason to doubt that it was the
25 same woman?

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 A No. I don't have any reason.

2 Q Where did you take them to when you picked them up?

3 A I took them to Nick's to the -- their friend Nick's house.

4 Q Did you know where Nick lived?

5 A No. Stefan told me how to get there.

6 Q Approximately, how long did it take you from the time you
7 picked up Stefan and Amber Pluff to get to Nick's house?

8 A About eight minutes, about eight to nine minutes.

9 Q Did you have conversation with Stefan while he was in the
10 car?

11 A No. I just asked him how is he doing and that's it. You
12 know, they didn't talk much.

13 Q Do you remember when that -- when it was that you picked
14 him up? Was it either before or after --

15 A It was after.

16 Q -- after VanHook had --

17 A Yeah. It was after -- I think it was probably before that
18 but because I was already in the apartment when Daniel had
19 asked me. So it was sometime in April that Daniel had asked
20 me could he come back and stay there.

21 Q And when do you believe it was that you picked Stefan up?
22 Was it around the same time or --

23 A Yeah. It was around the same time.

24 Q Now, was there a point in time when you are with Simpson
25 and AK and you go to a T-Mobile store?

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 A Yes. That was around April 6th.

2 Q Why is it that you happen to remember that date so well?

3 A Well, because I got hit by the car.

4 Q All right. Let's talk about that date.

5 What time did you pick those two fellows up?

6 A Well, Simpson -- I texted Abdul Khabir and told him that
7 we were going to go out to have Chia and dinner.

8 And I text Simpson and told Simpson that I was on my
9 way. It had to be around like 6:30; about 6:00, 6:30 I texted
10 him. Probably could have been five. I would say five o'clock
11 to be safe. Because it took me some time to go get Simpson
12 because Simpson text me back and asked where was I. And I
13 told him I was on my way.

14 And I went to his apartment first and picked him up.
15 And AK had texted me back and told me that he didn't want to
16 go but I was already enroute to his house. And I got in front
17 of his door. He wasn't dressed. And he was saying I don't
18 want to go out, I don't want to go, so we forced him to go
19 with us, so he went with us.

20 Q Where did you guys go after you picked up AK?

21 A At first we went to Hava Java. And I told them I didn't
22 eat yet so I have to eat. So that Afghani restaurant is not
23 that far from Hava Java, so we said, okay. We didn't want to
24 get anything to drink yet because we didn't want the chia to
25 get cold.

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 So we went to the Afghani restaurant. I got out to
2 go order -- to go order -- well, all of us went in and
3 ordered.

4 I realized that I had to go to T-Mobile to pick up
5 the two SIM cards because I was switching -- I had like a
6 prepaid plan. And I just wanted it to be regular. I didn't
7 like the prepaid anymore.

8 So I -- they had to give me -- I went to go -- I
9 already called in to get them switched, so I had remembered
10 that I had to do that. That was around about 7:30 when I
11 realized that we got our food. And I told them, hey, I got to
12 go to T-Mobile.

13 They said, oh, okay, go ahead. They was like, well,
14 we're going to eat our food right here in the car. So they
15 was eating their food in the car while I was driving to
16 T-Mobile.

17 Q What was the restaurant that you went to that day?

18 A Afghani. I don't know the name of the restaurant.

19 Q Is it -- we've looked at a picture of a restaurant a
20 couple of times.

21 A Yes. That's the restaurant.

22 Q There was a young boy who came in here. Is that the
23 restaurant you went to?

24 A Yes.

25 Q And you got your food to go?

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 A Yes.

2 Q And then what did you do?

3 A Well, we drove to 7th Avenue and Camelback. I pulled into
4 the stall. And her car, it was a car that was parked right
5 here, a Malibu it looked like, a Chevy Malibu.

6 So I was on this side and the door of the T-Mobile
7 was here.

8 Q Well, the jury nor the court reporter can see where you're
9 putting your hands.

10 A Oh, okay. Well, there was a stall that was here that was
11 open. Hers -- her stall was here where her car was at
12 (indicating) and the door of the T-Mobile was about here
13 (indicating). And there was a walkway that you could walk up
14 on.

15 So I got out of the car and went in. And I was
16 explaining to them that I already called someone and talked to
17 them about the SIM cards. And they said to me to give them my
18 phone number and the account number.

19 So I gave it to him. So they was only supposed to
20 give me the SIM cards because I paid for them already. They
21 ran my credit and I was trying to stop them from running it.
22 Because if they would have ran it too many times -- it was on
23 the business account. It would have messed everything up
24 because of what the rep told me the day before. She said
25 don't let them run your credit because it would kick you out

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 and you will have to just do everything all over again.

2 So I stopped him and this is around 7:45. I stopped
3 them. So they told me I had to call the rep back to get the
4 account number so that they can give me the SIM cards.

5 So it started getting late. They started shutting
6 down everything. So the rep finally got on the phone and I'm
7 talking to the rep. And so they said that they had to redo
8 the process all over again because they ran my credit.

9 So I said, okay, so I don't even need to be here
10 anymore because there's nothing they can do. I will have to
11 speak to the rep here because it is a business account and
12 they only deal with personal.

13 So I walked outside --

14 Q Are you happy?

15 A No. I'm not happy.

16 Q Okay. Go ahead.

17 A So I walked outside. I'm still talking to the rep on the
18 phone. We are walking. Well, I was walking this way on the
19 pavement. So I stepped down. I'm about a good --

20 Q You need to make sure you're talking into the microphone.

21 A Right. I'm about a good three feet from where the cars
22 are parked. I'll say about, yeah, three feet from where the
23 cars is parked.

24 And I'm on the phone and talking and faced the
25 opposite way and really not paying attention to what was going

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 on this way.

2 So as I was walking, all I heard was her car just she
3 hit her gas really fast and it hit me and my arm. Like it hit
4 me on the side of my body and the arm slapped her trunk. I
5 ran around the side because I spun. My whole body spun.
6 I came up and I told her, I said, hey, you just hit me,
7 because she was ready to take off. She was already so far out
8 from the parking space and she was about to pull off.

9 Then she stopped. Her mother had told her to -- hey,
10 I think you just hit that guy. And she stopped and she got
11 out and she was asking me are you all right. I told her, I
12 said, I don't know, you know, tomorrow is a different day.

13 So I sat down for a minute. And she was like are you
14 sure? Are you all right? Or do you want me to call the
15 police or anything? I said, no. I said if it's anything
16 wrong, you know, I would let you know.

17 I asked her did she have any insurance. She said
18 yeah. She gave them to me. I handed -- I didn't have a pen
19 or anything to write her information down, so I had asked
20 Ibrahim to take a picture of it.

21 He took a picture of it and I handed it back to her.
22 And she said are you sure? You don't want me to call an
23 ambulance or anything? I said no. I said I'm still -- I
24 don't know because I'm still in shock or whatnot, you know.

25 So I said I think I should be fine. But then the

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 next day when I went to get up, I couldn't move. I was really
2 sore. So I said I better go to ER to make sure nothing is
3 wrong.

4 Q Where did you go to the hospital?

5 A John C. Lincoln.

6 Q And after having gone to John C. Lincoln, did you
7 eventually get some other medical care?

8 A Yes. I went to a chiropractor. I forget the name of the
9 chiropractor where I went to. I went there and they treated
10 me. They asked me did I have insurance. I was -- I told
11 them, yeah, I did have insurance because I only -- I had
12 AHCCCS at that time, the AHCCCS insurance. And I gave it to
13 them and they said, oh, okay. So, yeah, we could treat you
14 here. And they did treat me there.

15 She then told me, she said, you know, you should call
16 an attorney. And I said for what. I said I have insurance
17 right here. I'm using it right now. And all I cared about is
18 just getting myself back healed and getting back on my truck.

19 So she -- she gave me the card, Michael Cordover, and
20 told me to give them a call because AHCCCS might not pay for
21 that whole bill.

22 Q Did you continue to go back to that chiropractor?

23 A Yes.

24 Q How long did you go?

25 A Up until I got arrested.

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 Q Did you ever go see a doctor after that?

2 A Yes.

3 Q Okay. Do you recall when you went to see the doctor?

4 A I think about a week after that.

5 Q Okay. Now, during this time period in April -- how often
6 during the month of April how often were you seeing Simpson?

7 A I seen him only twice during that month of April.

8 Q So you saw him at least on April 6th because he's with you
9 when that accident occurred?

10 A Yes. Right.

11 And then after that I seen him. I don't remember
12 exactly the date but I seen him after.

13 Q Under what kind of circumstances? Did you go and stay at
14 their place?

15 A Well, actually, I had to go to the hospital.

16 Q Pardon me?

17 A I had to go to the hospital. My sugar was really high.
18 They couldn't even -- I couldn't check it on the meter. It
19 wasn't registering. So if it wasn't registering, I know it
20 was over 500.

21 Q Are you diabetic?

22 A Yes.

23 Q Okay.

24 A So it was really high and I wasn't feeling good. Every
25 time I closed my eyes, it felt like I was going to fall out.

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 So I said to myself, I said, I better go get this checked out.
2 So it was -- what is it called -- urgent care that was down
3 the street from where -- from where I live. I went there.
4 It's off of 29th Street and Greenway.

5 I went there and they called the EMS because they
6 thought that I was going to go into a diabetic coma? So I
7 seen him that day.

8 Q He came that day?

9 A Yes.

10 Q Okay. Do you remember when that was?

11 A I don't know, probably the 21st or 20th, somewhere around
12 in that area.

13 Q Okay. Now, I'm going to take you to May 1st now for a
14 moment. May 1st is a Friday.

15 A Yes.

16 Q Did you see Simpson on that day?

17 A Yes.

18 Q Okay. When did you see him on that day?

19 A I got to Jumu'ah and it was about 12:45. I walked in
20 through the back door. Simpson and Nadir --

21 Q Let me stop you because I'm just wanting to get the time.

22 You see him at Jumu'ah on May 1st?

23 A Yes.

24 Q Correct. And had you seen Simpson the day before on April
25 30th?

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 A No.

2 Q Which would have been a Thursday?

3 A No.

4 Q You're sure?

5 A Yes. I had --

6 Q You didn't have dinner with him at the Afghani restaurant?

7 A No. I cooked myself. I cooked some lamb shanks. And I
8 called Simpson on the phone and asked him to come over to my
9 house to eat the lamb shanks because I haven't seen him in
10 over probably -- he distanced himself for probably, I think,
11 about two or three weeks he distanced himself.

12 He wasn't answering none of my texts or answering the
13 phone calls. So I called him and he finally answered. And I
14 asked him, I said, hey what's going on? You're a hard person
15 to get ahold of.

16 I said, hey, I just made some lamb shanks. Do you
17 want to come over and eat with me. And he was like, yeah,
18 I'll be right over there. I said all right. I be waiting.

19 So he came -- he didn't even come. I sat there for
20 about two-and-a-half hours. It was like five. I called him
21 about 7:30. I called him back. He answered.

22 He said, brother, I'm not going to be able to make
23 it. Something came up. And I said -- I said you know what.
24 I said why would you do that? You could have called me and
25 told me and I could have just ate and been done with it.

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 He went off on me on the phone. He said: Why do you
2 always got to think that something is wrong -- because I was
3 asking him what's going on with him. Where he -- why is he
4 distancing himself.

5 So he flipped out on me on the phone. So I just said
6 to him, I said, hey, look, I'm sorry for even calling you. I
7 apologize for even calling you. I'm going to hang up the
8 phone before we get into a really big argument.

9 So I said "salam alaykim" and hung up and I didn't
10 talk to him anymore that night.

11 The next day is when I went to Jumu'ah. When I went
12 to Jumu'ah, I seen him and Nadir. My nephews were sitting --
13 my nephew had just came in from Philadelphia.

14 Q This is Hakeem?

15 A Yes. Hakeem.

16 Q This is the one who left and couldn't get on the plane
17 before?

18 A Yes. And Hakeem -- Saleem had went and picked him up and
19 they went from the airport straight to Jumu'ah. They were
20 sitting in front of Nadir and Ibrahim. I was sitting in the
21 back of the masjed and so I can get out the door quick because
22 I didn't want to talk to Ibrahim.

23 So when it was over, I walked out the back door and
24 Saabir Nurse was to the right and he had called me and I
25 walked over to him. I was like I'm trying to hurry up and get

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 away because I don't feel like dealing with Ibrahim.

2 So when I went to Saabir, I shook his hand and gave
3 him salams and said to him -- I said what's going on brother?
4 He said nothing much. I said I'm trying to get my car --
5 prepare my car so I can get my nephew's stuff in there.

6 So Ibrahim ran out and he saw me and he ran up to me.
7 And he said, brother, I apologize for yelling at you yesterday
8 right over the phone. I apologize to you.

9 Excuse me. Excuse me.

10 THE COURT: You know, it's about time for us to take
11 our afternoon break anyway. We will break until three
12 o'clock.

13 Ladies and gentlemen, you are reminded of the usual
14 admonitions. Court is in recess until three o'clock.

15 (Recess taken at 2:42 p.m.; resumed at 3:00 p.m.)

16 THE COURT: Thank you, ladies and gentlemen. Please
17 sit down. The record will show the presence of the jury,
18 counsel, and the defendant.

19 Please continue with your questioning, Mr. Maynard.

20 BY MR. MAYNARD:

21 Q All right. Where we ended was you saw Simpson after
22 Jumu'ah on May 1st and he's asked you to accept his apology.

23 Did you ever see him after that?

24 A No.

25 Q Okay. Did you -- did you invite him to your house?

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 A Yes. I invited him, Nadir and Saabir to my house for
2 dinner because Hakeem had just got back in town. And I
3 realized after -- why I -- yeah. I realized about -- I'll say
4 an hour after -- after leaving, I was like I'm not going to be
5 able to cook that. It's going to take too long to cook
6 because I --

7 Q Well, let me stop you. You're jumping ahead too much.

8 Are you -- you're there at the Jumu'ah?

9 A Yes.

10 Q Okay. Do you invite a number of people to come to dinner
11 at your house?

12 A Yes.

13 Q All right. What do you do next after that?

14 A Me and Hakeem went to my house because Hakeem was hungry.

15 Q Why is it that Hakeem is staying with you and not staying
16 with his own brother?

17 A Well, as a Muslim, if -- if you are married, he's not
18 allowed to be there with his wife -- with Saleem's wife unless
19 he's married and he has his wife there. He wouldn't -- you
20 wouldn't -- you were not allow to be there with his wife,
21 being there with his wife.

22 Q After you go back to your place, did Hakeem leave or what
23 happens?

24 A Yes. Hakeem eats and I try to rush down to Bay's Market
25 to go purchase --

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 Q Do you go from -- I mean, you eat there and then what do
2 you do?

3 A Well, I was -- well, I eat there. And then I go to my
4 chiropractor.

5 Q You had a chiropractic appointment that day?

6 A Yes.

7 Q How long does that last?

8 A Probably, about an hour.

9 Q So what time are we now after the chiropractic
10 appointment?

11 A It's like 4:00, about 4:00 something, yeah.

12 Q Then what do you do?

13 A I try to rush down to Bay's Market to get the meat. It's
14 really getting dark now. And I just called everybody to tell
15 them I'm trying to -- I will get down there to get the meat
16 but it's too late. I'm not going to be able to --

17 Q Well, if it's four o'clock and it's in May, is it dark?

18 A It's -- no not dark yet.

19 Q All right. Let's back you up. What time was Jumu'ah over
20 with?

21 A Jumu'ah was over with around 2:30.

22 Q Okay. So you then go to your house to eat?

23 A Yes.

24 Q And Hakeem eats?

25 A Yes.

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 Q And then where is your chiropractic appointment?

2 A Probably, about a mile down the road.

3 Q So you then go to that?

4 A Yes.

5 Q And then you go to a market to buy the meat?

6 A Yes. And the market is on 20th Street and Van Buren.

7 Q Okay. And where was the chiropractic appointment?

8 A Cave Creek and Greenway. So it's about a mile down the
9 road.

10 Q So you get and you buy -- what kind of meat do you buy?

11 A Goat.

12 Q And what are you going to cook?

13 A Curry goat, Jamaican-style curry goat.

14 Q I'm sorry. What?

15 A Curry goat. Jamaican-style curry goat.

16 Q Do you decide not to have the dinner that night?

17 A Yes.

18 Q Do you text anybody or what do you do?

19 A Yes. I text Simpson and he didn't respond back right then
20 and there. I text everybody else that was -- that was invited
21 and they didn't -- they didn't respond back.

22 So I text him to tell him that I wasn't going to cook
23 that day. I was going to cook the next day. And he text me
24 back and said, brother, I know you hooked it up. I'm sorry
25 for throwing punches at you over the phone and he wasn't going

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 to be able to make it.

2 Q When the text said "I'm sorry throwing punches over the
3 phone," what did you understand that to mean?

4 A I understood that that was for Thursday that he was
5 supposed to come over and eat that day, I mean, for that
6 Thursday the 30th.

7 Q Did you eventually cook the curried goat?

8 A Yes. I did cook it that night. I tried preparing it and
9 I started cooking it that night because it was a lot of -- a
10 lot of meat that I was going to be cooking.

11 Q And did you have people come over to your place the next
12 day?

13 A Yes. People showed up. Abdullah Mubarak, my nephews,
14 Saleem did, quite -- a couple other brothers did. But I text
15 Simpson and he didn't show. He didn't call. He didn't -- no
16 nothing.

17 Q Was the last time you heard from Elton Simpson the time
18 you got the text that said I'm sorry for throwing punches?

19 A Yes.

20 Q Okay. Now, on -- I'm going to move to May 3rd.

21 On May 3rd in the evening, where are you eating
22 dinner?

23 A Me and Hakeem went to Red Lobster.

24 Q And did you receive a phone call that evening?

25 A Yes. I did receive a phone call from Saleem.

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 Q And what, if anything, did you do after you got that phone
2 call from Saleem?

3 A Well, Saleem had called and I told -- I told Hakeem to
4 pick up the phone and answer it. And Hakeem picked up the
5 phone and I believe he gave it back to me.

6 And I took it and Saleem told me that -- don't go
7 over to Nadir's and Ibrahim's house because he just got
8 stopped by the police because something happened in Texas. He
9 believed that Dunston -- Dunston had called him and told him
10 that Ibrahim -- to go and check on Ibrahim at the house. A
11 reporter had called and said that Ibrahim was in a -- some
12 type of shooting or something.

13 Q What did you do after you had that phone conversation?

14 A I stopped eating and boxed up -- asked the waiter to box
15 up my food. And I left from there. I drove over to Simpson
16 and them apartment. I couldn't get inside because it was
17 police everywhere. Cops all over. Yellow tape everywhere.

18 So I just went -- I drove by a couple of times and I
19 drove to my house. And then I said to myself I will come back
20 and I drove back over towards Abdul Khabir's house.

21 Q Did you attempt to contact Abdul Khabir?

22 A Yeah. I text him and I was telling him I have to tell him
23 something to talk to him. It was real important. To unblock
24 my phone number. And I tried calling him and calling him and
25 he wouldn't answer so I drove over there.

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 Q Okay. Did you -- did Abdul Khabir come with you?

2 A Yes, he did.

3 Q And what did you guys do at that point --

4 A Well --

5 Q Who's in the car after you stopped at Abdul Khabir's
6 house?

7 A It's Hakeem. Hakeem and me and Abdul Khabir.

8 Q Where do you go from Abdul Khabir's house?

9 A I drove back to Simpson's house. And the interest where
10 all the police was at -- well, they just had their cars lined
11 up right there so nobody could get in and they blocked the
12 other entrances so you couldn't get in. But it's another
13 entrance that you can go in on the other side of the complex.

14 So I went in on that side so I can get around to the
15 back so I could see Simpson's apartment.

16 And I got around there and there was SWAT team -- it
17 was a SWAT -- it was police everywhere all around -- all
18 around the backend of it.

19 Me and Abdul Khabir -- I told him because I thought
20 that they had got killed there in the apartment.

21 Q Why did you think they were killed there at the apartment?

22 A Because when I drove by the first time, it looked like it
23 was blue tarps, like blue tarps on the ground. And I was,
24 like, that must be their bodies right there.

25 So I told Abdul Khabir let's go up to the front and

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 see if we could see their bodies.

2 And Hakeem started yelling and telling me, no, don't
3 get out of the car. Don't go over there because you might get
4 questioned. And they might keep you guys there. And we just
5 stopped for a minute. And it was, like, yeah. So we just
6 stayed and watched the SWAT team try to enter the apartment.

7 So we just -- after that I just said, you know what,
8 we just might as well get out of here. So we left from there
9 and I -- because we still wasn't even sure who -- if they got
10 killed or not. So we drove to Simpson' dad's house that's
11 not -- it's about five miles away.

12 Q Had you ever been to Simpson's father's house before?

13 A Yes. I have. I been there a couple times with Elton and
14 I also cleaned their carpet and their furniture for them.

15 Q Do you have a recollection of approximately what time you
16 got to Simpson's father's house?

17 A Probably, like around -- I don't really remember. I know
18 it was pretty late.

19 Q And what did you do when you got there?

20 A I knocked on the door and he came to the door. He came
21 outside, actually, and we were standing in front of his door.
22 And he was asking me what was Elton into and I told him. He
23 said I thought he was still working. I was, like, I don't
24 know if he is or not. You know what I mean? I found out from
25 Saabir later that he wasn't. He had stopped working in

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 January.

2 Q Well, let's talk about what did Mr. Simpson -- what did
3 you guys do then?

4 A He asked me -- he asked me did I -- what was Simpson into
5 and told him I don't know. He -- I asked him had he heard
6 anything about Simpson. He said to me no but some stuff came
7 on on the TV. So he had a DVR. A DVR. He rewinded back the
8 DVR.

9 Q Did he invite you guys in the house?

10 A Yes. We went --

11 Q Who went in the house?

12 A Me, Hakeem, and Abdul Khabir.

13 Q And then he turns on the TV?

14 A Yes. He turned it on and he plays it. And it's an
15 overshoot of the vehicle that Elton Simpson -- Elton Simpson
16 was in. And I looked at it and I was like that looks like
17 Nadir's car but it was a distance away.

18 But he got on the computer. When he got on the
19 computer, then I could see, so.

20 Q So you're looking at a newscast at the car?

21 A Right.

22 Q Okay. You thought it looked like Nadir's car?

23 A Yeah. I thought it did.

24 Q How long did you stay at Mr. Simpson's house?

25 A Probably about a half an hour.

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 Q Okay. And then what did you do?

2 A Because we didn't know. We didn't know. We took off and
3 left so.

4 Q What did you do?

5 A We left.

6 Q Okay. Then what did you do?

7 A I dropped Khabir off and then I went home.

8 Q Okay. At some point did you learn that Simpson and Soofi
9 had been killed in Garland, Texas?

10 A It was the next day. Khabir had sent me a text and told
11 me if I was to type in Elton's name, if I was to type in his
12 name, his picture would pop up and I believed that they are
13 dead in Texas.

14 Q Prior to May 3rd and hearing about this -- getting the
15 phone calls -- had you ever heard of the Muhammad drawing or
16 cartoon contest that was going on in Garland, Texas?

17 A No.

18 Q Did you have any idea that Simpson and Soofi were going to
19 Texas?

20 A No.

21 Q Did you know that they were leaving town?

22 A No.

23 Q Okay. Had you ever heard them talk about going to this
24 contest to avenge the Prophet?

25 A No.

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 Q Did you attend Simpson's funeral?

2 A Yes, I did.

3 Q Did you attend Nadir's funeral?

4 A No.

5 Q Now, after this incident occurred on May 3rd, did you get
6 a call from the FBI?

7 A Yes. I did get a call. I think it was May 4th. It was
8 the next day. They called me and asked me can I come in to
9 talk to them. Then on -- that's -- they asked can I come in
10 on the 5th to talk to them. May 5th.

11 Q So did you talk to the FBI on May 5th?

12 A Yes, I did.

13 Q And was the person you talked to Agent Whitson?

14 A Yes. That was one of the agents.

15 Q And who was the other agent?

16 A Nash.

17 Q And had you met Nash before?

18 A Yes, I have.

19 Q Was he the one who gave you back your computer initially?

20 A Yes.

21 Q Okay. Now, when you went in to meet with Agent Whitson,
22 did you take a lawyer with you?

23 A No.

24 Q Did they tell you that you were being taped?

25 A No.

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 Q Okay. Where did the interview take place?

2 A I think it was on 7th Avenue and Deer Valley.

3 Q And did you understand that that was the FBI headquarters?

4 A Yes.

5 Q Here in Phoenix?

6 A Yes.

7 Q Okay. And approximately how long did you meet with them?

8 A I want to say it was probably about two hours.

9 Q Was your nephew with you when you went?

10 A Yes.

11 Q Okay. Did he go into the interview room with you?

12 A No. He was in the car.

13 Q Okay. Afterwards, after this May 5th interview, did you
14 have the occasion to go back out to the FBI's office?

15 A Yes.

16 Q And when was the next time you went to their office?

17 A When I noticed that I was being followed.

18 Q Okay. How did you notice that you were being followed?

19 A Well, the officers -- well, they were -- they almost made
20 me get into an accident. Like three or four times they cut me
21 off, they stepped on the brakes, almost caused me to get
22 T-boned. I know it was the FBI.

23 And when I went to come and get in my car, somebody
24 had been tampering with my car. So I called them to find out
25 if they put a tracking device on my vehicle which they told me

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 no they didn't. And then later I find out they did so.

2 Q Did you actually go to the FBI headquarters to meet them?

3 A Yes. I sat there to talk to someone for about 45 minutes.

4 45 minutes I sat down there to talk to someone. No one came
5 down. I waited. I had an appointment to go to, a

6 chiropractor appointment. I sat there and waited and waited
7 for them and no one came down to talk to me.

8 Q And did you get a -- did you finally leave the FBI's
9 office?

10 A Yes.

11 Q That day?

12 A Yes, I did, that day. But the interview before that with
13 my nephew in there, now I was there for a while and I wasn't
14 feeling great and I was asking them to leave.

15 They kept telling me we only have a few more
16 questions for you. And that was Agent Whitson, the one that
17 was telling me, oh, we only got a new more questions.

18 So I was there and I kept telling them that I'm not
19 feeling good, not feeling good. Afterwards, we did -- I did
20 leave. Whitson said that he walked -- he didn't walk me
21 outside. He did walk me outside. He walked me to the gate.

22 I noticed my nephew wasn't in the car. I yelled back
23 to him and I told him, I said, can you get my keys from my
24 nephew. I need to take my medication. He said okay. He --
25 they didn't come back with my keys for about another hour to

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 give me my keys and I sat outside while they had my nephew
2 inside. My blood sugar went sky rocket.

3 Q Are you talking -- are you telling us now about the
4 interview that you had on May 5th?

5 A Yes.

6 Q Okay. I have moved off of that.

7 Let me move to the time that you went there because
8 I'm getting confused.

9 A Sorry.

10 Q Did you go back a second time?

11 A Yes. The second -- the second time I did go back and that
12 was to get -- to talk to Agent Whitson about the cars
13 following me.

14 Q Okay. And did anybody come out and talk to you?

15 A No.

16 Q Did you get a phone call from the FBI after that?

17 A Around June 10th -- yeah, from -- I got a phone call the
18 same day and I was on my way to the chiropractor.

19 Q But you didn't meet with anybody that particular day?

20 A No.

21 Q Okay. Now, you believed that you were being followed
22 after this?

23 A Yes.

24 Q Okay. Did -- at some point did you -- after this May 5th
25 interview, at some point did you hire Stefan Verdugo to come

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 back and work for you?

2 A He called me and asked me did I have any work for him. I
3 told him, yes, I have a job right now that's going. These
4 guys, they need help with a floor being put in. If you want
5 to help them, you could.

6 Q And did he come to work for you for some period of time?

7 A Yes. He was supposed to work that day, but the guys said
8 that he came and just took off.

9 Q Okay. Did you have any understanding that your telephone
10 conversations with Stefan Verdugo were being taped?

11 A No.

12 Q Did you have any understanding that Stefan Verdugo was
13 wearing a body wire and taping your conversations?

14 A No.

15 Q Okay. Now, did you get a telephone call from Ali Soofi
16 after his brother died?

17 A Yes, I did.

18 Q Was that unusual for any reason? Had you ever gotten a
19 phone call from Ali Soofi before?

20 A No.

21 Q Did you speak to him on the phone?

22 A Yes, I did.

23 Q Did you tell him not to talk to the FBI?

24 A I don't remember saying anything like that.

25 Q Okay. In fact, did you ask him when he was coming back to

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 Phoenix?

2 A Yes, I did. I asked him how he was feeling and how was
3 he. And I told him that I'm about to -- I'm about to get on
4 Google and -- well, my company is about to get on. They
5 optimized the site and I'm going to need some help. If you
6 come back, I do have a room for you. And he said I will take
7 you up on that. But I other than that, I didn't hear
8 anything.

9 Q Now, when you're arrested on June 10th, had you been
10 working that day?

11 A Yes.

12 Q Had you moved somebody?

13 A Yes.

14 Q When they arrested you, you had a gun both in the truck
15 and you had one at your house?

16 A Yes.

17 Q If you thought the FBI was following you, why didn't you
18 get rid of your guns?

19 A I didn't think anything was of it. I didn't think
20 anything.

21 Q Did you know that a felon wasn't supposed to carry guns?

22 A Yes. But I didn't think that I was a felon at that time
23 because I thought that after so many years that the felon
24 would drop off.

25 Q You also had a lot of CDs by an individual by the name of

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 Anwar al-Awlaki.

2 A Yes.

3 Q Did you think there was anything wrong with those CDs that
4 you had?

5 A No.

6 Q I was going to ask you why you didn't get rid of them.

7 A Because I didn't think anything was wrong with them.

8 Q Had you listened to those CDs?

9 A For about five years.

10 Q Would you listen to them in your car?

11 A Yes.

12 Q When you met with the FBI on May 5th, the time that we've
13 talked about before, that meeting takes about two hours?

14 A Yes.

15 Q Do you remember talking to the FBI about whether or not
16 you were familiar with an individual by the name of Faisal or
17 Faisal?

18 A Yes. I remember them saying, well, it was Ibrahim had
19 said something to me about him in 2012.

20 And in 2013 he told me that an individual by the name
21 of Yaya (ph) that he would go over that person's house and
22 they would get him on the computer and talk live with this
23 guy.

24 Q Had you ever participated in any communication with Faisal
25 or Faisal?

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 A No.

2 Q Did you know who he was?

3 A No.

4 Q Did you have any understanding that he was a Jamaican
5 Imam?

6 A No. I knew that he was an Imam, but other than, I never
7 met the guy.

8 Q You never met him? Never talked to him?

9 A Never. Never.

10 Q Never communicated with him?

11 A No.

12 Q Never read any of his stuff that you knew of?

13 A Never.

14 Q Did you advise the FBI that Simpson had told you he had
15 talked to this fellow but not in your presence?

16 A Right.

17 Q Did you tell them -- did you tell Agent Whitson who you
18 thought Simpson had been with when he talked to this
19 individual?

20 A Yes.

21 Q And who was that?

22 A I don't know his real name, his birth name, but I just
23 know him by Yaya.

24 Q Was he somebody that attended the masjed that you
25 attended.

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 A No. He didn't go to the masjed that I attended. He
2 attended the masjed on 32nd Street and McDowell.

3 Q And was this somebody that you understood was friendly
4 with Simpson?

5 A Yes.

6 Q Did you ever have a Twitter account?

7 A No.

8 Q Were you aware whether or not Simpson had a Twitter
9 account?

10 A No. I wasn't aware until after his death.

11 Q There's been a lot of discussion in this case that you
12 have been sitting here about the Twitter account.

13 A Yes.

14 Q Did you ever sit there and watch Simpson's Twitter
15 account?

16 A No. He wouldn't let nobody sit and watch him tweet or
17 text or anything.

18 Q Did you know whether he was tweeting or texting or what he
19 was doing?

20 A No.

21 MR. MAYNARD: Can the witness be shown Exhibit 351 or
22 can I approach so I can put it on the computer?

23 THE COURT: Yes.

24 BY MR. MAYNARD:

25 Q All right. I'm going to show you what's been marked as

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 351. Prior to this lawsuit had you ever seen this document
2 before?

3 A You say prior to this lawsuit?

4 Q Prior to your being charged in this case.

5 A No. I never seen this document before.

6 Q Did -- did Simpson ever give you a list of any individuals
7 that he said you should read?

8 A No.

9 Q Okay. Looking at this, do you know who the first
10 individual is?

11 A No.

12 Q Do you know Imam Anwar al-Awlaki?

13 A Yes.

14 Q And how do you know who Imam Anwar al-Awlaki is?

15 A I have his CDs.

16 Q And how long have you had those CDs?

17 A About five, six years.

18 Q Okay. The third one Sheikh Azzam, had you ever heard of
19 him before?

20 A No.

21 Q The next one. Sheikh Abu Mohammed al-Adnani, had you ever
22 heard of him before?

23 A No.

24 Q The fifth one, Abu Bakr al-Baghdadi, had you ever heard of
25 him before?

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 A Only time I heard of him is now in the courtroom.

2 Q Okay. There was a fair amount of discussion in this case
3 about a khalif, a khalifate, a khalifah.

4 At some point did Simpson and Soofi tell you that
5 there was a Khalifah?

6 A Yes.

7 Q Did you have an understanding of who that was?

8 A I know a khalif, but I didn't think that it was a
9 Khilafah. I talked to -- when they said it to me, I spoke to
10 Abdul Mubarak and I said to him, I said, they were there
11 telling me that there is a Khilafah.

12 And he said don't listen to them. He said as a
13 matter of fact, I'm going to call my son and he called his son
14 and his son was telling me on the phone it's no Khilafah. And
15 I told him I know it's not.

16 Q Did you -- did they tell you that the person, whoever that
17 was that was the head of ISIS, was the new Khilafah?

18 A No. He didn't say the head of ISIS. They just said
19 khalif. They didn't say who.

20 Q Did you know who al-Zarquawi was?

21 A No.

22 Q Did you know who the last individual, Sheikh Ahmed Jabril?

23 A No.

24 Q But you had heard of Faisal at some point?

25 A Yes.

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 Q And you told the FBI that?

2 A Yes.

3 Q Now, after you have interviewed with the FBI on May 5th
4 and you believed that they are following you, all right, did
5 you buy a new computer or notebook?

6 A Yes.

7 Q What did you buy?

8 A A Nextbook.

9 Q What is a Nextbook?

10 A It's a tablet/laptop.

11 Q Okay. Why did you buy a Nextbook?

12 A Well, Hakeem had one that -- a tablet for hisself. And I
13 told him, I said, well, you know what, I want to get something
14 that's a little faster than this tablet that I got. It was
15 kind of cheap.

16 And I needed something so that I could use it when
17 I'm sliding credit cards or taking -- process orders over the
18 phone. So I told him I would give him that one and go get
19 another one. And so I did and I think -- I don't remember
20 around about the date when I got it.

21 Q But it was after Simpson and Soofi had been killed?

22 A Yes.

23 Q And it's prior to your being arrested on June 10th?

24 A Yes.

25 Q Okay. If you think the FBI is following you, I mean, are

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 you looking at radical materials at this point?

2 A No. I never looked at radical materials.

3 Q Okay. That was going to be my next question.

4 I mean, did you ever download what you thought were
5 radical materials or jihadist-type materials?

6 A No. I never watched any of that stuff.

7 Q At some point did you have a conversation with AK about
8 whether or not Simpson was interested in doing an attack on a
9 military base?

10 A I don't really recall Simpson saying something to me, but
11 I recall AK saying something but I didn't think anything of
12 it.

13 Q Just a moment, Your Honor.

14 Now you were arrested on June 10th of 2015, correct?

15 A Yes.

16 Q Where are you when you get arrested?

17 A I was -- I pulled into a gas station to get some water, a
18 Valero gas station off of 51st Avenue and I want to say
19 Baseline.

20 Q Okay. And does the FBI tell you that you're under arrest
21 at that point?

22 A No.

23 Q Okay. At some point do they tell you that you're under
24 arrest?

25 A Yes. When I went to the headquarters.

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 Q Are you in handcuffs?

2 A Yes.

3 Q Okay. They put you into a room?

4 A Yes.

5 Q And Agent Whitson then comes in to talk to you?

6 A Yes.

7 Q Okay. He gave you your Miranda warnings, so you were
8 entitled to get a lawyer at that time.

9 A Right.

10 Q Why didn't you call for a lawyer?

11 A I didn't think I needed one right there and I wasn't
12 hiding anything.

13 MR. MAYNARD: Just a moment, Your Honor.

14 I don't have any further questions, Your Honor.

15 THE COURT: Mr. Koehler.

16 MR. KOEHLER: If I can have just a couple minutes to
17 organize things here, please.

18 May I approach the clerk?

19 THE COURT: Yes.

20 MR. KOEHLER: May the clerk now please approach the
21 witness with Exhibits 612 and 613.

22 While that is happening, I would like to move the
23 laptop over here to the lectern.

24 THE COURT: Sure.

25 ////

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

CROSS EXAMINATION

BY MR. KOEHLER:

Q Sir, are you looking at Exhibit 613?

A Yes.

Q You recognize that, right?

A Are these e-mails?

Q That's the full printout of the text messages from your cell phone. Am I right?

A Okay.

Q And the dates on those messages range from approximately March of 2015 through May of 2015, early May?

A Okay.

Q Is that correct?

THE COURT: Are you saying "okay" because you're taking his word for it or because you have been able to verify that from looking at it?

THE WITNESS: No. I'm looking at this. It is starting off May 5th.

MR. KOEHLER: That's the top and it goes backward in time, right?

THE WITNESS: Yeah.

BY MR. KOEHLER:

Q So let's go back to April 6th, which is at page 285 if you'll look in the upper right-hand corner of that document.

A 285?

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 Q 285.

2 A Okay.

3 Q Do you recognize the text messages that you have there
4 starting with the one that says "Ibrahim" with a "2" and then
5 an asterisk at April 6, 2015 and it's 8:07 p.m. on the
6 Universal Time Clock which means it was 1:07 Arizona time.

7 Do you recognize that?

8 A Yes.

9 Q And is that a correct version of the text that you sent to
10 Ibrahim that day?

11 A I'm looking at it.

12 Q I'm sorry?

13 A There's a couple of them.

14 Q If you look in the left-hand column, it has the number
15 2881 in the far left-hand column. It's about two-thirds of
16 the way down the page.

17 A Yes.

18 MR. MAYNARD: Your Honor, I just want to get
19 oriented. I'm not sure where we are. If it's page 285 --

20 Oh. 2881. Okay.

21 BY MR. KOEHLER:

22 Q I would like you to read through your text messages
23 working your way up from that one to the top of the page.

24 THE COURT: Just to yourself, please.

25 BY MR. KOEHLER:

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 Q Do you recognize those text messages?

2 A Yes.

3 Q Those are messages that you exchanged with Ibrahim on
4 April 6th of 2015; is that correct?

5 A Yes.

6 Q Based on seeing that and seeing the rest of these, would
7 you agree this is a true and accurate depiction of your text
8 messages in that time frame?

9 MR. MAYNARD: Objection, Your Honor. Objection. We
10 have just gotten this document. It appears to be 300 --

11 THE COURT: Well, first of all, I agree that he just
12 looked at one page and it's -- I don't know how many. I'll
13 call it "a whole lot" of pages. It looks like it's about an
14 inch-and-a-half to two inches thick. He cannot possibly
15 answer that question.

16 MR. KOEHLER: I'm just going to ask about one page at
17 a time.

18 THE COURT: Okay. Well, then, don't ask him the
19 question about all -- I don't know how many pages are there?
20 They're numbered. 280-some.

21 MR. KOEHLER: Well, it starts with page 180 and then
22 goes to page 341.

23 THE COURT: So about 160 pages?

24 MR. KOEHLER: Correct.

25 THE COURT: Okay. Well, there's no way that he can

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 verify that all 160 pages are true and accurate copies of his
2 e-mails.

3 MR. KOEHLER: I understand.

4 THE COURT: So the objection is sustained.

5 But if you want to ask him about a specific page and
6 he can identify it, we can go forward page by page.

7 MR. KOEHLER: Right.

8 THE COURT: Hopefully, not all 160 of them.

9 MR. KOEHLER: I promise not to do that, Your Honor.

10 BY MR. KOEHLER:

11 Q All right. Let's talk about April 6, 2015. Do you see
12 that; is that correct?

13 A Yes.

14 Q And you're talking to Mr. Simpson in these conversations
15 starting with that 2881 and working your way up to 2875 on
16 that left-hand column?

17 A Yes.

18 Q And the first one was you inviting him and AK to go out
19 and get Chia, right?

20 A Well, they invited me because he talked to me and then he
21 text.

22 Q So he texted you --

23 A So I don't know if this is -- I don't know if this is
24 outgoing or ingoing.

25 Q He texted you and said:

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 Hey, you, me and AK should go and get Chia, is that?

2 A Yes. On both of these texts he texted me and the third
3 one he texted me and the third one up I said okay.

4 Q Right. And so he's asking you out to go get Chia and a
5 snack, right?

6 MR. MAYNARD: Your Honor, can we get some
7 foundation on this document? I can't tell who's coming in,
8 who is sending the text, who is receiving the text.

9 THE COURT: Well, we're not going to get it from the
10 witness.

11 MR. MAYNARD: Well, I don't know how the witness can
12 testify about it when I can't read it.

13 THE COURT: Well, he can only testify about it if he
14 recognizes them as being text messages that he received or
15 sent on his phone.

16 BY MR. KOEHLER:

17 Q So you do recognize that as something you sent from your
18 phone, is that correct, and received on your phone?

19 A Which one? Which one?

20 THE COURT: The ones about going to get Chia and you
21 respond back "okay."

22 THE WITNESS: Yeah. I don't know if these are sent
23 or --

24 BY MR. KOEHLER:

25 Q Okay. I want to refer you to the second column from the

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 left where it says "sent" or "inbox."

2 Does that help you understand which direction the
3 messages went?

4 A All right. Yes, I see.

5 Q Okay. So he proposed going to get Chai and a snack at
6 about seven minutes after 1:00 in the afternoon; is that
7 right? 8:07 on the Universal Time Clock?

8 A Right.

9 Q And then you said "okay"?

10 A Right.

11 Q And a little while later, probably about in about an
12 hour-and-a-half later he asked you if you went out; is that
13 right?

14 A Yes.

15 Q And then you responded back to him that you needed to go
16 get a prescription and get dressed and you just got out of the
17 house; is that right?

18 A I don't know if I just got out of the house.

19 Q But you just got out, right?

20 A Yeah. I only been --

21 Q And he texted back and said "how long you think"; is that
22 right?

23 A Right.

24 Q Okay. So is that a pretty normal conversation between the
25 two of you?

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 A Yes.

2 Q I'm going to take you to page 266 of the same document.

3 THE COURT: Could you give him a date too?

4 MR. KOEHLER: Once we get there, I will, yes.

5 BY MR. KOEHLER:

6 Q If you look at that upper right corner at page 266.

7 A Okay.

8 Q Do you see that there?

9 A Yes.

10 Q Okay. And going down to No. 2670, the date is April 13,
11 2015. It says 2:31:59 a.m. which is actually seven hours
12 ahead of Arizona on the Universal Time Clock. So that would
13 actually make it April 12th at --

14 MR. MAYNARD: There's a lack of foundation on this.

15 THE COURT: Yes. I mean, you're telling him it's the
16 Universal Time Clock and you're telling him what time it is.
17 But he doesn't --

18 MR. KOEHLER: We heard --

19 THE COURT: Well, this is a new exhibit. There is
20 nobody that's told us whether there is on the Universal Time
21 Clock or it has been converted. We have seen different
22 documents with --

23 MR. MAYNARD: I don't know what phone these come
24 from. You know, when he says it's in or it's out, I don't
25 know if it's his phone.

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 THE COURT: Well, let's just get Mr. Koehler to stop
2 testifying about what the times are and you can ask him to
3 review certain text messages. And if he recognizes them as
4 being sent or received on his phone, then we can go forward.

5 BY MR. KOEHLER:

6 Q So am I correct that on or about April 12 of 2015 that
7 evening you texted to Ibrahim?

8 A April 12. You just said this is April 13th.

9 Q The question I'm asking you is based on the Universal Time
10 Clock stamp.

11 THE COURT: What Universal Time Clock stamp?

12 MR. KOEHLER: That's in the document.

13 THE COURT: Does it show that it's a universal -- I'm
14 handicapped by not having a copy of this.

15 MR. KOEHLER: Oh. I gave it -- I gave one to the
16 clerk and he has the other. I'll bring this up to you, Your
17 Honor. May I approach?

18 THE COURT: Yes. Oh, it does say "UTC."

19 MR. KOEHLER: Yes.

20 THE COURT: Which I think prior testimony said that
21 was the Universal Time Clock. And so that you had to subtract
22 seven hours to convert it to Mountain Standard Time.

23 MR. MAYNARD: I think depending on the time of the
24 year it's either seven or eight. I'm not sure.

25 THE COURT: Well, the time of the year -- no, it

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 doesn't. It's always Mountain Standard Time.

2 MR. MAYNARD: Well, but we're on Mountain Standard.

3 THE COURT: It's always Mountain Standard Time here
4 in Arizona. We don't have any other time in Arizona.

5 So anyway, I want to go back. It does say Universal
6 Time Clock. I'm going to ask you, Mr. Kareem, based on prior
7 testimony to just assume that that means that the actual time
8 was about seven hours earlier.

9 So if it said something like one o'clock in the
10 morning on April 13th, that would actually mean in Arizona it
11 was seven hours earlier on April 12th sometime in the evening.
12 I'm not doing the math.

13 So we're back at 267. Do you want your document
14 back, Mr. Koehler.

15 MR. KOEHLER: No. I have another copy here.

16 THE COURT: Oh, okay.

17 MR. KOEHLER: And I apologize for the confusion. I
18 didn't realize what I had done with the extra copy.

19 BY MR. KOEHLER:

20 Q Okay. So April 13, 2:31:59 a.m. translates to
21 approximately 7:31:59 p.m. on April 12th in Arizona.

22 Knowing that and reading the text next to that:

23 Brother, did you say to Ibrahim that you were about
24 to go pick up AK and did he want you to pick him up on the
25 way?

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 A Yes.

2 Q And did you then tell him that dinner was ready just a
3 couple of minutes after that?

4 A Yes.

5 Q And then he responded that it was okay?

6 A Yes.

7 Q And then the next one he responded you can?

8 A Yes.

9 Q Again, another typical conversation with him; is that
10 right?

11 A Right.

12 Q And this is about three weeks before the event in Garland,
13 Texas?

14 A Right.

15 Q And so in both of those conversations you had arranged to
16 meet him; is that right?

17 A Well, they were going to come over to my house.

18 Q I'm sorry?

19 A They were going to come over to my house.

20 Q Okay. So both of those times they were going to come over
21 to your house?

22 A No. The first time, April 6th, we were -- we went out to
23 go eat.

24 Q Okay. And the second time, the 13th, they were coming
25 over to your house?

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 A Right.

2 Q And you were going to go pick them both up because AK
3 rides a bicycle; is that right?

4 A Yes. I did go pick them up.

5 Q And that was April 12th?

6 A Right.

7 Q Okay. Now, skipping ahead another day to April --

8 A That would have been April 13th.

9 Q The next day April 13th?

10 A This thing is off. All off.

11 Q It's seven hours ahead, correct?

12 A The dates are off.

13 Q Well, if you skip ahead -- if it's in the evening and you
14 skip an ahead seven hours, you get the next day, right?

15 A I don't know if this is accurate or not, so.

16 Q Okay. So the following day you showed up outside of
17 Simpson's place; is that right?

18 I want to direct you to page 263, the bottom of the
19 page.

20 The Universal Time Clock date on there is April 14,
21 2015, at 2:36 a.m. which translates to the 13th at 7:36 p.m.?

22 A Yes.

23 Q So this is one day later and you're outside to pick up
24 Elton Simpson again; is that right?

25 A That was all in one day. I don't know how you guys got

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 this going, but that text was all in one day. It wasn't split
2 up.

3 Q So I would like you to read --

4 A When I read my text of the texts that I have, it's all in
5 one day and not skip to different days.

6 THE COURT: So are you saying this was the day where
7 you are making arrangements to pick them up and then you took
8 them to your house for dinner?

9 THE WITNESS: Yes. These all are different dates.

10 BY MR. KOEHLER:

11 Q So you're saying --

12 A I can't say this document is correct because to me I know
13 how I text. And me jumping from different pages and saying
14 different dates, this is how this is all wrong.

15 Q Okay. So in your opinion --

16 A I know it's off.

17 Q These are not your text messages?

18 A I know it's off is my opinion.

19 Q So it is a fact in your mind that the record of your texts
20 is off?

21 MR. MAYNARD: Objection to the form of the question.

22 THE COURT: Sustained.

23 There isn't any foundation for this report, Mr.
24 Koehler.

25 Since we just are all seeing it for the first time

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 today, no witness has testified about it and anything that we
2 have been told about it, we have been told about it by you and
3 you are not a witness.

4 MR. KOEHLER: We'll come back to that.

5 BY MR. KOEHLER:

6 Q All right. I want to move forward now to page 255, record
7 No. 2557. It's about three-quarters of the way down the page.

8 A You said 255?

9 Q Page 255.

10 A Okay.

11 Q Now, going down to record 2557, the Universal Time Stamp
12 on that says April 17 at 12:36 a.m. which would make it about
13 5:36 p.m. on the 16th, right?

14 A Right.

15 Q Assuming that's correct.

16 All right. And this is a message that you sent to
17 Ibrahim. You say:

18 Where are you?

19 Is that right?

20 Do you remember having that conversation with him?

21 A Unless I have all of the text --

22 THE COURT: So far there is no conversation --

23 He can't answer that question, Mr. Koehler. This
24 isn't a conversation. It's a three-word text.

25 BY MR. KOEHLER:

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 Q So I want to have you start there and read your way up the
2 page to the top of the page and then keep going up to the
3 middle of the next page where the last one says "Ibrahim" on a
4 little above the center of the next page.

5 MR. MAYNARD: I'm sorry. Where are we starting?

6 MR. KOEHLER: Starting with record 2557.

7 MR. MAYNARD: Okay.

8 MR. KOEHLER: And moving up the page from there.

9 MR. MAYNARD: All right.

10 THE WITNESS: This is me texting Abdul Khabir.

11 How did you guys get Ibrahim there?

12 BY MR. KOEHLER:

13 Q So you think this conversation took place with Abdul
14 Khabir and not Ibrahim?

15 A I was texting Abdul Khabir and Ibrahim is there.

16 Q Can you take a look at the phone number on each one of
17 those text messages?

18 A That's what I'm looking.

19 MR. MAYNARD: Well, Your Honor, additionally, I'm
20 just looking to the second page of 256. There appears to be
21 text messages from his lawyer.

22 THE COURT: We haven't talked about that page. This
23 isn't in evidence.

24 MR. MAYNARD: Well, I thought he had him reading up
25 to that and into the next page.

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 MR. KOEHLER: The previous day.

2 THE COURT: He has him going backwards because
3 it's -- you know it goes reverse. Right.

4 BY MR. KOEHLER:

5 Q Will you agree with me that each one of the text messages
6 there that says:

7 Ibrahim. Two star. The phone number above it is
8 623-313-6382?

9 A Yes.

10 Q And that was his phone number, Elton Simpson's phone
11 number, correct?

12 A Yes.

13 Q So looking at those texts, you are saying that that
14 conversation was a conversation that happened with AK?

15 MR. MAYNARD: Objection to the form --

16 THE COURT: Hold on.

17 THE WITNESS: No. I said that it was me --

18 THE COURT: Hold on. Hold on.

19 Mr. Kareem, when your lawyer is talking, you should
20 stop talking so that I can rule on whatever he's asking me to
21 rule on. Okay.

22 THE WITNESS: Uh-huh.

23 MR. MAYNARD: Objection to the form of the question.

24 There are no conversations. These are text messages that
25 people are writing back and forth.

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 THE COURT: Sustained. Rephrase your question.

2 BY MR. KOEHLER:

3 Q Looking at the text messages going back and forth from
4 that record 2557 back up to the previous page to record 2542
5 which has a date stamp, Universal Time Clock of April 17,
6 2015, at 1:25 a.m. which would make it approximately 6:25 p.m.
7 on April 16th.

8 Looking at those text messages back and forth, is it
9 your testimony that those were back and forth with AK and not
10 Ibrahim?

11 A No. I didn't say with AK. I said I remember this
12 conversation and I had a conversation with AK and Ibrahim.

13 I don't know how this is -- because it would have
14 been AK texting. Ibrahim texting. This is all Ibrahim.

15 Q Can you identify which messages in this you think --

16 A Oh, no, because you're going down, it would have been AK
17 texting me and then Ibrahim and then I would have texted and
18 then Ibrahim would have text.

19 These are all Ibrahim texts right here. None of AK's
20 texts are here.

21 Q Let's stop for a minute.

22 The question I'm asking you is the texts that are
23 here, are those texts between you and Ibrahim?

24 A Yes.

25 Q And are those texts true and accurate copies of the texts

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 that you exchanged with Ibrahim on that date?

2 A Yes.

3 Q Okay. So let's talk about your conversation via text with
4 Ibrahim.

5 A Okay.

6 Q Your first one to him, again, was at about 5:36 p.m. on
7 April 16, 2015, where you asked him where are you; is that
8 right?

9 A Yes.

10 Q And then --

11 A Hold on. Where are you? That would have been April 17.

12 MR. MAYNARD: Your Honor, can I just ask?

13 The number on the left-hand side, where are we
14 starting?

15 THE COURT: 2557.

16 THE WITNESS: I'm at 2555.

17 MR. MAYNARD: Okay. Thank you.

18 BY MR. KOEHLER:

19 Q Okay. Now going to 2556, which is approximately --

20 THE COURT: Well, stop converting it. Just go
21 through the texts please.

22 MR. KOEHLER: I was just going to go approximately 15
23 seconds later.

24 THE COURT: Okay.

25 BY MR. KOEHLER:

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 Q We're about 15 seconds later you send another text to
2 Ibrahim saying --

3 MR. MAYNARD: Objection. He can't read from the
4 document.

5 THE COURT: He just verified that these were accurate
6 texts in that time frame.

7 THE WITNESS: I don't know. Whose number is this
8 right here?

9 THE COURT: Which number.

10 THE WITNESS: It's a number that's right here over on
11 this side.

12 THE COURT: When you say "right here," what page and
13 what --

14 THE WITNESS: I'm on page 254 and --

15 THE COURT: Okay. And it's at the bottom?

16 THE WITNESS: No. If you look right next to the text
17 going back to the left, two columns over, it's number zero
18 says plus-plus the numbers.

19 THE COURT: I don't have any idea.

20 THE WITNESS: Because my number would show --

21 BY MR. KOEHLER:

22 Q Well, let's stick with page 255 and your record number
23 2556, about 15 seconds after you said "where are you" to
24 Ibrahim, you said, "I text him so he should read the text and
25 see," correct?

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 THE WITNESS: Where are you saying?

2 THE COURT: We're back on page 255 at that item on
3 the far left that's 2556.

4 THE WITNESS: Okay.

5 BY MR. KOEHLER:

6 Q And you said that to Ibrahim, right?

7 "I text him so he should read the text and see."

8 A I don't remember.

9 Q You don't remember?

10 A No. I don't remember that right there.

11 Q And Ibrahim texted you back about a minute later and said:

12 Should prob call.

13 A I don't remember.

14 Q If he said that to you, it means "should probably call,"
15 right?

16 A Right.

17 Q And then the next one from Ibrahim?

18 A That one I remember.

19 Q About 40 seconds later he said, "Might be a text war
20 there," doesn't it?

21 MR. MAYNARD: Your Honor, again, I object to him
22 reading from a document that hasn't been admitted into
23 evidence and that the witness says he doesn't recall whether
24 or not these texts that are about a year old occurred at this
25 time.

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 THE COURT: I'm going to sustain the objection.

2 The document is not in evidence. The witness
3 sometimes can recall whether he made the text or didn't make
4 the text.

5 If you want to get this in evidence, you'll have to
6 do it the proper way, Mr. Koehler.

7 MR. KOEHLER: He had just testified a minute ago --

8 THE COURT: I know, but he changed his testimony.

9 So this really isn't the proper way to try to get
10 these texts into evidence and you'll have to go about it the
11 correct way.

12 BY MR. KOEHLER:

13 Q So I just want to clarify before we move off of this
14 topic.

15 You testified on your direct examination that the
16 only two dates in April of 2015 that you saw Elton Simpson,
17 Ibrahim, were April 6th and April 22nd; is that right?

18 A Somewhere around there.

19 Q That's what you said on direct, correct?

20 A Somewhere around there. I don't recall the exact date
21 that I saw him but I know April 6th --

22 Q That wasn't my question.

23 A But I know --

24 Q My question was:

25 You testified on direct that those were the two dates

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 that you saw him; isn't that right?

2 THE COURT: I had in my notes April 21.

3 THE WITNESS: Right. I never said April 22nd.

4 MR. KOEHLER: Okay. So April 6th and April 21st,
5 those are the dates?

6 THE WITNESS: Somewhere around there.

7 BY MR. KOEHLER:

8 Q Did you text Ibrahim when your blood sugar spiked?

9 A Did I text him?

10 Q Yes, to let him know?

11 A I had texted Ibrahim and told him my sugar is high and I
12 had to go to the hospital.

13 Q And that's one of those two dates that you said you saw
14 him?

15 A It happened twice in that month. I don't recall the
16 dates --

17 Q Okay.

18 A -- when it happened.

19 Q And was one of those dates April 22nd?

20 A Yes.

21 Q And is that one of the two dates in April that you saw
22 Ibrahim?

23 A I never seen him. I texted him.

24 Q I thought you said on direct that he came and visited you?

25 A That was on -- he went to dinner. He came to dinner.

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 Q And he didn't come see you after you went to the urgent
2 care?

3 A Yes. He did come one time. And he came once. I went
4 twice out there. I just can't recall the dates that I went.

5 Q Do you recall getting a text message from Abdul Mubarak on
6 or about April 18 of 2015 offering you a nine for sale for
7 \$200?

8 A No. I don't recall that.

9 Q Okay. He sent you a text saying --
10 I got a 9 for sale for 200.
11 -- at one point, didn't he?

12 A I never seen it.

13 Q You never saw the text?

14 A No.

15 Q And so a little while later, did you try to contact Elton
16 Simpson about something that you had to trade out with him,
17 something very, very good?

18 A I remember that text and it was an iPad that he had
19 wanted. And I had wanted his -- he had a Windows -- a Windows
20 tablet that came apart and I had an tablet --

21 Q Did he tell you about a Microsoft Surface tablet?

22 A Yes. And he had wanted the iPad.

23 Q Now, when you were at your house on Cochise, you had your
24 television hooked up to an Roku system; is that right?

25 A Yes. There was three of them in the house.

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 Q I'm sorry?

2 A There was three of them in the house.

3 THE COURT: Three televisions?

4 THE WITNESS: Three Roku boxes.

5 THE COURT: Three Roku boxes. Okay.

6 MR. KOEHLER: Can you pull the mic a little closer so
7 we can hear you better?

8 THE WITNESS: Yeah.

9 THE COURT: What's a Roku box?

10 THE WITNESS: Well it's a box that -- that you can
11 get movies and over about six to seven hundred channels on six
12 to 7,000 channels on it.

13 BY MR. KOEHLER:

14 Q One of the things you can access off that Roku box is
15 YouTube; is that right?

16 A Some of them.

17 Q What do you mean some of it?

18 A Some of them you can. I had a Roku One.

19 Q And the Roku that you had on your main TV in the living
20 area of your home, that one was the XS2; is that right?

21 A X what?

22 Q XS2 Roku?

23 A No. I believe it was like the like the -- I don't know.
24 I know it was an Roku box. I don't know the name.

25 Q Okay. It was one that came with a gaming controller;

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 isn't that right?

2 A I think so.

3 Q And the gaming controller had a little blue strap on it?

4 A Yes.

5 Q And that's the same one in the photo that we showed on the
6 screen earlier today; is that correct?

7 A Yes.

8 Q I would like to direct your attention to Exhibit 612. Do
9 you have that sitting on the stand in front of you?

10 A Yes.

11 Q That's an e-mail that you got from Roku back on September
12 21, 2014; is that right?

13 A I'm not sure.

14 Q Why don't you look at the bottom center of it where it
15 says "Created and Accessed"?

16 THE COURT: The bottom center of what?

17 MR. KOEHLER: Exhibit 612.

18 THE COURT: Would you put it on the screen and point
19 to what you want us to look at?

20 MR. KOEHLER: Right there.

21 BY MR. KOEHLER:

22 Q Do you see that, sir. Look at your screen next to you.

23 A It says 9/21.

24 Q Yes.

25 A Yes.

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 Q September 21, 2014.

2 A Yes.

3 Q And you're using your Acer computer at the time you
4 changed your password on the Roku; is that correct?

5 A I don't know. Stefan could have been using it.

6 Q You don't recognize this e-mail to your
7 gitrdonemoving@gmail.com account?

8 A No.

9 Q Let's talk for a minute about something you brought up on
10 direct.

11 You were friends with AK before all this happened; is
12 that right?

13 A Yes. He's my cousin.

14 Q I'm sorry?

15 A He's my cousin.

16 Q Right. But you didn't know about that until sometime
17 after the fact; is that right?

18 A I said before all of this happened, so be more specific in
19 what --

20 Q You didn't know that AK was your cousin until after all
21 you guys moved to Phoenix; is that right?

22 A Right.

23 Q Okay. And sometime before the Garland attack, you and AK
24 had a conversation about Simpson and Soofi having a plan to
25 attack a Marine base; is that right?

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 A I really don't -- he mentioned something, but it's vague.
2 I didn't think anything of it.

3 Q Isn't it true that you told AK --

4 A No.

5 Q -- that Simpson was planning on going to shoot up a Marine
6 base?

7 A No. I never told AK anything like that.

8 Q And despite having had this conversation with AK, you
9 didn't bring that up to the FBI in your interview with them,
10 did you?

11 MR. MAYNARD: Objection, Your Honor.

12 THE WITNESS: I never said it.

13 MR. MAYNARD: He never said he had the conversation.

14 THE COURT: Sustained. Rephrase the question, Mr.
15 Koehler.

16 With "this." You are referring to "this" and he just
17 denied whatever it was that you suggested that he said. So
18 it's not clear what "this" conversation refers to.

19 BY MR. KOEHLER:

20 Q You said that AK said something to you about that?

21 A Something vague. I wasn't paying attention when he said
22 something to me about it. I didn't know exactly what he said,
23 but he mentioned something but I don't know.

24 Q And you didn't mention that at all during your FBI
25 interviews?

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 A I didn't think it was anything.

2 Q So Elton Simpson and Nadir Soofi went to Garland, Texas,
3 armed with assault rifles and started shooting and got shoot
4 and killed and you didn't think that was anything relevant to
5 your conversation with the FBI?

6 A No. I didn't -- I didn't know that they was going to
7 Garland, Texas.

8 Q That's not my question, sir.

9 A And I didn't know -- AK never mentioned that conversation
10 to me and I never mentioned that to AK.

11 Q Just a minute ago you said he did mention it to you --

12 A I don't remember.

13 Q -- and you said that he was vague?

14 A I said I don't remember the conversation. If he said
15 something to me, it was vague. I didn't -- I wasn't
16 corresponding with him about something that was said. I don't
17 remember anything like that.

18 Q So you heard AK testify here today, right?

19 A Yes.

20 Q And you heard him testify that you told him that Simpson
21 and Soofi were going to go shoot up a Marine base?

22 A I never said nothing like that to him.

23 Q Let's talk about your incident on April 6th at 2015.

24 A Yes.

25 Q This is when you went to the T-Mobile store, correct?

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 A Yes.

2 Q Do you remember calling the insurance company a couple
3 days after that?

4 A I remember calling.

5 Q You called the insurance company and you told them that
6 you were really hurt; is that right?

7 A Yes, I was.

8 Q And you said you couldn't move your hip?

9 A I couldn't move --

10 Q And you couldn't move your leg; is that right?

11 A Right.

12 Q And you told the person on the phone that when Kareem
13 Fabian asked you how you were doing, you told them -- or you
14 told her that you were not okay.

15 A I didn't never say that.

16 Q That's exactly what you said to the insurance company,
17 isn't it?

18 A I told them that I was not okay?

19 Q That you told Ms. Fabian that you were not okay.

20 A Well, when she asked me "are you okay," I told her
21 tomorrow is a different day.

22 Q But you told her --

23 A I told her that --

24 THE COURT: Hold on. Hold on. Hold on a second.

25 Only one person can speak at a time.

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 Mr. Kareem, I'm going to ask you to wait till Mr.
2 Koehler finishes his question before you start to answer.

3 And, Mr. Koehler, I'm going to ask you not to
4 interrupt Mr. Kareem's answer with your next question.

5 So, Mr. Koehler, you go first.

6 BY MR. KOEHLER:

7 Q So you testified on direct what you just said.

8 But on April 8th when you talked to an insurance
9 investigator, you told the insurance investigator that you
10 told Ms. Fabian that you were not okay that night; isn't that
11 right?

12 A I don't -- I don't recall.

13 Q You told the insurance investigator that her -- bless
14 you -- that her music was turned up really loud, didn't you?

15 A Yes. Yes. It was up.

16 Q And you told the insurance investigator that her windows
17 were tinted darkly; is that right?

18 A Yes, they were.

19 Q Yet you went to the hospital at John C. Lincoln and the
20 people there found no evidence of injury to you; is that
21 right?

22 A They did. They did. I have the paperwork.

23 MR. KOEHLER: For the record this is Exhibit 523
24 which is in evidence.

25 Sir, could you please read starting right here where

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 my finger is where it says: Abdul Malik Abdul Kareem.

2 THE COURT: Did you want him to read it out loud or
3 to himself.

4 MR. KOEHLER: Read it out loud.

5 A Your Honor Abdul Malik Abdul Malik.

6 THE WITNESS: Abdul Malik Abdul Kareem. 43 years
7 old. Male who presents with left hip and left side lower back
8 pain after being hit by a car 24 hours ago. Patient had no
9 objective --

10 THE COURT: Could I ask you to speak a little closer
11 to the microphone as you read?

12 MR. KOEHLER: You can pull the microphone over in
13 your direction if that's easier.

14 THE WITNESS: I patient had no objective abnormal
15 findings on exam but had request x-rays so I will order them.
16 He walked into the room with no hip -- I don't know what that
17 is -- no difficulties in getting cut -- what is this getting
18 cut on clothes and has full ROM.

19 MR. KOEHLER: Has full R-O-M.

20 THE WITNESS: R-O-M.

21 MR. MAYNARD: Your Honor, I ask that the next two
22 paragraphs -- the first two paragraphs on the next page be
23 read under the doctrine of completeness.

24 THE COURT: There's no -- what is the next page and
25 the paragraphs you are referring to?

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 MR. MAYNARD: The next page is page 7. That was page
2 6 that they were looking at.

3 THE COURT: Okay.

4 MR. MAYNARD: And it's a time line starting at 11:28
5 and then they go up to 12:41. Do you want my copy?

6 THE COURT: Better yet, do you want Exhibit 523?
7 Then we will know for sure.

8 Maureen, could you give Mr. Koehler Exhibit 523?

9 Sir, we will look at the top of page 7 and read the
10 two paragraphs that Mr. Maynard asked for and then we will
11 recess for the day.

12 MR. KOEHLER: Oops.

13 THE COURT: I hope you missed the document camera.

14 MR. KOEHLER: I did.

15 THE COURT: Good.

16 MR. KOEHLER: I'm putting the lid back on now.

17 BY MR. KOEHLER:

18 Q So on page 6 you read the paragraph that says:

19 Patient had no objective abnormal findings on exam
20 but had requested x-rays so I will order them. He walked into
21 the room with no limp, exhibited no difficulty in getting out
22 of his clothes, and has full ROM.

23 Would you agree that stands for range of motion?

24 A I don't know what it stands for.

25 Q Okay. Let's go to the next page. This is page 7. Right

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 here. Initiated care. Go ahead.

2 A You'll have to read it through. I'm having difficulty
3 seeing it.

4 MR. KOEHLER: Okay.

5 THE COURT: Why don't you read it. It's a document
6 in evidence and he's having difficulty seeing his screen.

7 MR. KOEHLER: The next page it says:

8 Initiated care. Patient seen and evaluated at
9 bedside by me. Discussed treatment and evaluation options
10 with patient who never verbalized understanding.

11 12:41 p.m. Reevaluated. The patient is improved and
12 resting comfortably at this time. Discussed the plan to
13 discharge home. The patient is agreeable to the plan. Strict
14 return precautions were discussed at length.

15 Is that correct?

16 THE WITNESS: Yes.

17 MR. MAYNARD: Thank you.

18 THE COURT: We will recess for the day, ladies and
19 gentlemen. We will reconvene at 9:00 o'clock tomorrow
20 morning.

21 You are reminded again of the admonition not to
22 discuss the case among yourselves or with anyone else.

23 Please police do not form any conclusions about the
24 case until you have heard all the evidence and begun your
25 deliberations.

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

1 I'm going to recess but I'm coming back in five
2 minutes because I want to go over just briefly with you a few
3 of the proposed instructions.

4 I will see the jury at nine o'clock tomorrow morning.
5 I will see counsel in about five minutes.

6 (End of Excerpt of Proceedings.)

7 * * *

CR15-707-SRB ABDUL MALIK ABDUL KAREEM-Pt#1 3-8-16

C E R T I F I C A T E

I, ELIZABETH A. LEMKE, do hereby certify that I am
duly appointed and qualified to act as Official Court Reporter
for the United States District Court for the District of
Arizona.

I FURTHER CERTIFY that the foregoing pages constitute
a full, true, and accurate transcript of all of that portion
of the proceedings contained herein, had in the above-entitled
cause on the date specified therein, and that said transcript
was prepared under my direction and control.

DATED at Phoenix, Arizona, this 9th day of March,
2016.

s/Elizabeth A. Lemke
ELIZABETH A. LEMKE, RDR, CRR, CPE